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## **QUESTIONS AU CONSEIL**

*(La Présidence en exercice du Conseil de l'Union européenne est seule responsable de ces réponses)*

## **QUESTIONS TO THE COUNCIL**

*(The Presidency-in-Office of the Council of the European Union bears sole responsibility for these answers)*

### **Question no 10 by Jim Higgins (H-0169/08)**

Subject: Illegal drugs

Could the Council indicate its position on the need to do more in order to combat the problems associated with the illegal drugs trade, and would it indicate what plans the Council has in order to combat these problems in the areas of prevention and treatment?

### *Odgovor*

Odgovor, ki ga je pripravilo predsedstvo in ne zavezuje ne Sveta ne držav članic, ni bil dan ustno v času za vprašanja, odmerjenem Svetu na delnem zasedanju Evropskega parlamenta aprila 2008 v Strasbourgu.

V Strategiji EU na področju drog za obdobje 2005-2012 in v poznejšem akcijskem načrtu EU za boj proti drogam 2005-2008 so določeni prednostni ukrepi za zmanjševanje ponudbe. Ti ukrepi vključujejo:

- okrepitev sodelovanja na področju kazenskega pregona na ravni EU in med državami članicami,
- preprečevanje in kaznovanje uvoza in izvoza prepovedanih drog, tudi na območja drugih držav članic,
- okrepitev kazenskega pregona, kazenske preiskave in sodelovanja na področju sodne medicine ter
- krepitev prizadevanj na področju kazenskega pregona, usmerjenega na države, ki niso članice EU, zlasti države proizvajalke in regije vzdolž poti prometa s prepovedanimi drogami.

Zelo pomembna so tudi prizadevanja predsedstva EU za doseg dogovora o sklepu Sveta o Europolu, ki bo razširil pristojnosti in prilagodljivost te organizacije ter zagotovil financiranje Skupnosti.

Center za operacije in analize za boj proti drogam v Atlantiku (splošno imenovan MAOC-N), ki je bil ustanovljen lansko jesen v Lizboni (vanj je vključenih sedem držav članic) je že opravil nekaj pomembnih zasegov.

Z namenom učinkovitega boja zoper nezakoniti trg EU s sintetičnimi drogami, uporablja EU novi postopek izmenjave podatkov, ocene tveganj in nadzora nad novimi psihoaktivnimi snovmi. Nazadnje je ta postopek EU uporabila v zvezi z novo psihoaktivno snovjo 1-benzilpiperazin, za katerega je Svet EU, marca letos sprejel sklep o vzpostavitvi nadzornih mehanizmov in kazenskih sankcij zoper novo psihoaktivno snov 1-benzilpiperazin (BZP) v državah članicah EU.

Na področju zunanjih odnosov je bilo vzpostavljeno sodelovanje z državami proizvajalkami, zlasti z načrtom za ukrepanje v zvezi z Afganistanom in mehanizmom za sodelovanje ter usklajevanje na področju drog z Latinsko Ameriko in Karibi.

V času slovenskega predsedstva Svetu EU je bilo v marcu na Dunaju srečanje visokih predstavnikov EU in LAC držav, kjer je bila sprejeta Hofsburška deklaracija, ki opredeljuje nadaljnjo sodelovanje EU z Latinsko ameriškimi državami in Karibi.

Pomemben poudarek se daje tudi Balkanski poti. V tem kontekstu je potrebno omeniti akcijski program za Zahodni Balkan. Ta je pomemben instrument za pomoč državam Zahodnega Balkana na področju drog, hkrati pa zagotavlja tudi določeno mero zaščite pred transportom droge po Balkanski poti.

Zahodna Afrika je postala novo prednostno območje. Na 51. zasedanju Komisije za droge pri ZN na Dunaju je slovensko predsedstvo, po predhodni pripravi teksta na Horizontalni delovni skupini za droge, v imenu EU predlagala sprejem resolucije o zahodni Afriki. S to resolucijo bo mogoče vplivati na zmanjšan dotok kokaina v države EU preko držav zahodne Afrike.

Evropska unija in države članice so največji donatorji na svetu. Pri odnosih z državami proizvajalkami se še zlasti osredotočajo na alternativni razvoj, izmenjavo obveščevalnih podatkov in krepitev institucij.

Kar zadeva preprečevanje in zdravljenje, strategija za obdobje 2005–2012 predvideva pristop zmanjševanja povpraševanja, ki temelji na:

- odvrčanju ljudi od tega, da bi začeli uporabljati droge,
- preprečevanju, da bi eksperimentiranje z drogami preraslo v redno uživanje,
- zgodnjem posredovanju pri tveganih vzorcih uživanja drog, in
- zagotavljanju programov zdravljenja kakor tudi programov za rehabilitacijo ter družbeno vključenost.

V akcijskem načrtu EU 2005–2008 je bilo opredeljenih 20 ukrepov. Ključnega pomena na tem področju je Evropski center za spremljanje drog in zasvojenosti z drogami v Lizboni.

V okviru akcijskega programa je Svet v letu 2007 razpravljal o proizvodnji in čezmejni trgovini s heroinom, kokainom in konopljo, izmenjavi informacij na področju drog, drog v zaporih in drog na ulici. Za vsa naštetá področja je bil predlagan integriran, na dokazih temelječ pristop.

Službe Komisije trenutno ocenjujejo izvajanje akcijskega načrta 2005–2008, kar bo podlaga za pripravo akcijskega načrta za obdobje 2008–2012.

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#### **Question no 11 by Mairead McGuinness (H-0171/08)**

Subject: New position of President of the European Council

Can the Council make a statement on the new position of President of the European Council as envisaged in the Reform Treaty? What role will the President have? How will the person be selected if and when the Reform Treaty is ratified by all 27 Member States? What powers will the President have?

#### *Odgovor*

Odgovor, ki ga je pripravilo predsedstvo in ne zavezuje ne Sveta ne držav članic, ni bil dan ustno v času za vprašanja, odmerjenem Svetu na delnem zasedanju Evropskega parlamenta aprila 2008 v Strasbourgu.

Glede vprašanj, ki jih je zastavila spoštovana poslanka McGuinness, Svet ne more izjaviti ničesar drugega, kot da se sklicuje na ustrezne določbe Lizbonske pogodbe. Tako je npr. v členu 15 v Pogodbi o Evropski uniji, prečiščene različice temeljnih pogodb, kot ju spreminja Lizbonska pogodba, med drugim zapisano naslednje. Predsednik Evropskega sveta predseduje Evropskemu svetu in vodi njegovo delo, skrbi za pripravo in kontinuiteto dela Evropskega sveta v sodelovanju s predsednikom Komisije in na podlagi dela Sveta za splošne zadeve. Predsednik Evropskega sveta si prizadeva za krepitev povezanosti in soglasja v Evropskem svetu ter po vsakem zasedanju Evropskega sveta Evropskemu parlamentu

predloži poročilo. Predsednik Evropskega sveta na svoji ravni in v tej vlogi predstavlja Unijo navzven v zadevah, ki se nanašajo na skupno zunanjo in varnostno politiko, ne da bi to posegalo v pooblastila visokega predstavnika Unije za zunanje zadeve in varnostno politiko.

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**Question no 12 by Gay Mitchell (H-0173/08)**

Subject: Development policy in EU external action

The Lisbon Treaty stipulates that the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy 'shall ensure the consistency of the Union's external action'. The Treaty explicitly mentions, among the objectives of the Union's external actions, 'the sustainable economic, social and environmental development of developing countries, with the primary aim of eradicating poverty'. Can the Council state how the importance of development policy as a key objective of EU external action is to be assured?

*Odgovor*

Odgovor, ki ga je pripravilo predsedstvo in ne zavezuje ne Sveta ne držav članic, ni bil dan ustno v času za vprašanja, odmerjenem Svetu na delnem zasedanju Evropskega parlamenta aprila 2008 v Strasbourgu.

Niso še bile sprejete odločitve glede izvajanja Lizbonske pogodbe, ki še ne velja. Zaradi tega Svet o tem vprašanju še ni zavzel stališča.

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**Question no 13 by Brian Crowley (H-0176/08)**

Subject: Energy security

Can the Council make a comprehensive statement outlining what initiatives it is pursuing this year to protect the security of energy supplies into the territories of the European Union?

*Odgovor*

Odgovor, ki ga je pripravilo predsedstvo in ne zavezuje ne Sveta ne držav članic, ni bil dan ustno v času za vprašanja, odmerjenem Svetu na delnem zasedanju Evropskega parlamenta aprila 2008 v Strasbourgu.

Svet se strinja z Evropskim parlamentom, da je zanesljivost oskrbe z energijo za Evropo zelo velikega pomena. Evropski svet je to jasno potrdil v svojih sklepih v letih 2006 in 2007. Tako je eden glavnih ciljev notranje in zunanje energetske politike Skupnosti zagotoviti in okrepiti varnost dobave energije hkrati s konkurenčnostjo in trajnostnim razvojem, kar je bilo znova potrjeno v sklepih Evropskega sveta iz marca 2007. Poleg tega je pomen povečanja energetske varnosti EU in njenih držav članic izpostavil tudi letošnji marčni ES. Pomembno je poudariti, da ukrepanje na področju podnebnih sprememb in energije ter nadaljnja liberalizacija notranjega energetskega trga in nove energetske tehnologije pomembno prispevajo k temu cilju.

Poleg tega pa moramo še naprej odločno razvijati zunanjo razsežnost energetske politike za Evropo za obdobje 2007-2009. Marčni Evropski svet je zato pozdravil doseženi napredek na tem področju. Napredek pri izvajanju in potrebo po nadaljnjih ukrepih na področju zunanje razsežnosti energetske politike pa bo celoviteje ocenil na podlagi naslednjega strateškega pregleda energetske politike, ki bo s strani EK predložen novembra 2008. Ta strateški pregled bo posvečen zlasti zanesljivosti oskrbe (vključno v zvezi s povezovalnimi daljnovidni) in zunanji energetske politiki. Strateški pregled, ki ga bo spomladi 2009 potrdil Evropski svet, bo podlaga za novi energetske akcijski načrt po letu 2010.

Glavni elementi notranje in zunanje energetske politike Skupnosti, ki neposredno ali posredno prispevajo k večji zanesljivosti oskrbe, so:

– Na notranji ravni:

Več zakonodajnih instrumentov, kot so direktive o zalogah nafte, varnosti dobave plina ali varnosti dobave elektrike.

Okrepitev energetskega omrežja Skupnosti: cilj energetske politike Skupnosti je ustvariti močnejša in bolj povezana energetska omrežja, boljše upravljanje z omrežji in načrtovanje infrastrukture ter pospešiti vključevanje novih elektrarn v električno omrežje; vse to prispeva k večji sposobnosti omrežja, da se sooča s šoki, kot so prekinitev dobave, nesreče, nihajoči pretok obnovljivih virov itd.

Večja raba obnovljivih virov (zavezujoča cilja 20-odstotnega deleža v porabi energije EU do leta 2020 in 10-odstotnega deleža biogoriv v porabi goriva v prometu do leta 2020).

Večja energetska učinkovitost. Manjša raba energije bo zmanjšala odvisnost od tretjih držav glede dobave energije; zato je cilj Skupnosti povečati energetska učinkovitost s pomočjo instrumentov, ki jih ima na razpolago (zakonodaja, raziskave in razvoj in promocijska kampanja).

V zvezi z vseevropskimi energetskimi omrežji (TEN) želi Svet opozoriti poslanca na lanskoletno imenovanje koordinatorjev za štiri prednostne projekte v evropskem interesu – med katerimi je tudi plinovod Nabucco, preko katerega se plin za srednjo Evropo zagotavlja iz Kaspijskega območja –, da bi spodbudili izvedbo teh projektov, ki so zelo pomembni za zanesljivo oskrbo z energijo in delovanje notranjega energetskega trga.

– Na zunanji ravni:

Evropska unija si dejavno prizadeva za večjo varnost oskrbe z energijo z raznovrstnostjo energetskih virov, dobaviteljev in poti oskrbe; poleg z že omenjenimi prednostnimi projekti TEN v evropskem interesu to med drugim uresničuje tudi s pomočjo:

rednih dialogov o energiji in sodelovanja s pomembnimi državami in organizacijami proizvajalcev, npr. z Rusijo, Azerbajdžanom, Norveško ali OPEC, pa tudi s pomembnimi državami potrošnicami in tranzitnimi državami, kot so ZDA, Brazilija, Kitajska, Indija, Ukrajina;

energetskih partnerstev, npr. z Afriko, vzpostavljeno decembra 2007, ali z Egiptom;

tesnega sodelovanja z državami Srednje Azije ter območij Kaspijskega in Črnega morja v okviru evro-sredozemskega sodelovanja o energetiki (Peta ministrska konferenca je potekala 17. decembra 2007 na Cipru) itd. ter dejavne udeležbe v strukturah, kot sta Energetska skupnost ali Energetska listina.

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**Question no 15 by Seán Ó Neachtain (H-0182/08)**

Subject: Millennium Development Goals

Can the Council make a comprehensive statement outlining what initiatives it is pursuing to help combat HIV/Aids in Africa this year?

*Odgovor*

Odgovor, ki ga je pripravilo predsedstvo in ne zavezuje ne Sveta ne držav članic, ni bil dan ustno v času za vprašanja, odmerjenem Svetu na delnem zasedanju Evropskega parlamenta aprila 2008 v Strasbourgu.

V letu 2008 je treba nujno pospešiti napredek pri doseganju razvojnih ciljev tisočletja, pri tem pa prednostna naloga Sveta še naprej ostaja boj proti virusu HIV/aidsu. Komisija in države članice so v celoti zavezane izvajanju "Evropskega akcijskega programa za boj proti HIV/aidsu, malariji in tuberkulozi s pomočjo zunanjih ukrepov", ki so ga Svet in države članice sprejele maja 2005.

V sklepih "Najnovejša vprašanja v zvezi s HIV/AIDS" z dne 23. aprila 2007<sup>1</sup> je Svet spodbudil Komisijo in države članice, naj zagotovijo izvajanje obstoječih zavez v okviru "Evropskega akcijskega programa za boj proti HIV/aidsu, malariji in tuberkulozi s pomočjo zunanjih ukrepov", ter pozval Komisijo in države članice, naj poročajo o napredku, tudi najnovejših vprašanjih v zvezi s HIV/aids, v okviru skupnega spremljanja in poročanja o Evropskem akcijskem programu leta 2008 in 2010.

<sup>1</sup> Dok. 7227/07, odstavek 12.

V tem okviru bo Svet ocenil trenutno stanje izvajanja akcijskega programa<sup>2</sup> iz leta 2005 in morebitne skupne ukrepe, ki so jih na tem področju sprejele Komisija in države članice.

Komisija v "letnem poročilu o razvojni politiki ES in izvajanju zunanje pomoči" Evropskemu parlamentu in Svetu vsako leto poroča zlasti o razpoložljivosti virov ES za izvajanje akcijskega programa. Letno poročilo 2007 o zunanji pomoči ES za leto 2006<sup>3</sup> vsebuje podatke, ki kažejo, da je Evropska unija v okviru zmanjševanja revščine vse bolj vključena v boj proti boleznim, povezanim z revščino, zlasti z izvajanjem evropskega akcijskega programa. Razvija se veliko število instrumentov in kanalov financiranja, predvsem prek dvostranskih programov, ki se financirajo iz proračuna EU in Evropskega razvojnega sklada, letno pa dosežejo približno 245 milijonov EUR brez splošne proračunske podpore<sup>4</sup>.

Komisija in države članice so dejavni donatorji v "Svetovni sklad za boj proti HIV/AIDS, tuberkulozi in malariji" (GFATM) vse od njegove zasnove v letih 2001–2002. EU tako igra ključno in vidno vlogo pri razvoju tega novega in inovativnega načina mednarodnega financiranja, ki poudarja njeno trdno zavezanost boju proti tem trem boleznim. Komisija in države članice EU so skupaj postale največje donatorke v GFATM, saj so zagotovile 53 % gotovinskih prispevkov v letih 2003–2006. EU je izredno pomembna mednarodna razvojna partnerica, zato je njena politična podpora ključnega pomena za uspešen razvoj in delovanje GFATM, na primer pri prizadevanjih za zagotovitev predvidljivejših finančnih tokov v okviru procesa dopolnitve.

EU trenutno izvaja Evropski akcijski program za odpravo hudega pomanjkanja zdravstvenih delavcev v državah v razvoju (2007–2013), v katerem je Afrika prednostni geografski cilj. V kratkem pričakujemo poročilo Komisije o napredku.

HIV/AIDS sta Afriko zares močno prizadela. Za večino afriških držav velja Sporazum o partnerstvu med državami AKP in ES iz Cotonouja. Spodbujanje boja proti HIV/AIDS in zagotavljanje varstva spolnega in reproduktivnega zdravja in pravic žensk v skladu z akcijskim programom Mednarodne konference o prebivalstvu in razvoju (IPCD) je eno od področij podpore v okviru strategij sodelovanja<sup>5</sup> iz Sporazuma o partnerstvu iz Cotonouja, dejavnosti na tem področju pa redno financira ERS.

Instrument razvojnega sodelovanja (DCI)<sup>6</sup>, ki sta ga Evropski parlament in Svet sprejela 18. decembra 2006, v okviru geografskih programov zajema obravnavo bolezni revščine, zlasti HIV/AIDSa. Program instrumenta za razvojno sodelovanje "Vlaganje v ljudi" v delu "Zdravje za vse" vključuje boj proti boleznim revščine, usmerjen proti glavnim prenosljivim boleznim, tudi HIV/AIDSu. Za ta program je namenjen okvirni finančni znesek 1060 milijonov EUR za obdobje 2007–2013. Obravnavanje pandemije HIV/AIDSa in njenih vplivov na južnoafriško družbo je eden od ciljev pomoči EU Južni Afriki v okviru instrumenta za razvojno sodelovanje; za ta geografski program je namenjen okvirni finančni znesek 980 milijonov EUR za obdobje 2007–2013.

Boj proti HIV/AIDSu s posebnim poudarkom na Afriki je in bo ostal najpomembnejša prednostna naloga EU, tako na notranji kot tudi na zunanji ravni. To je jasno izrazil Svet v izjavi EU z naslovom "Izpolnjevanje obljube o zaustavitvi HIV/AIDSa" ob svetovnem dnevu boja proti AIDSu 1. decembra 2007, pa tudi Evropski svet v sklepih z dne 21./22. junija 2007<sup>7</sup>.

Nenazadnje je tudi eden od štirih glavnih ciljev strateškega partnerstva Afrika-EU<sup>8</sup>, ki je bilo odobreno na lizbonskem vrhu 9. decembra 2007, "zagotoviti, da se do leta 2015 v vseh afriških državah dosežejo razvojni cilji tisočletja", med svetovnimi izzivi in vprašanji skupnega pomena, ki bodo v tem dolgoročnem strateškem partnerstvu obravnavani skupaj, pa je tudi HIV/AIDS. V tem okviru je načrtovana široka paleta ciljev, kot so:

boljši dostop do preventive, zdravljenja, oskrbe in podpornih storitev, tudi za HIV/AIDS,

večji finančni in človeški viri,

izboljšanje dostopa do dosegljivih kakovostnih zdravil in proizvodov,

povečanje zmogljivosti afriških držav za usposabljanje in zadržanje kvalificiranih zdravstvenih delavcev.

Naj zaključim s tem, da bo leto 2008 leto ukrepov za izvedbo politik in instrumentov za boj proti HIV/AIDSu ter da upamo, da se bo v letu 2008 nadaljeval pozitiven trend prizadevanj in uspeha, ki smo ga zabeležili že leta 2006 in naj bi zaznamoval tudi leto 2007.

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<sup>2</sup> Dok. 9278/05, odstavek 14.

<sup>3</sup> Dok. 11141/07 + ADD 1

<sup>4</sup> Načela za prispevek EU v Svetovni sklad za boj proti HIV/AIDS, tuberkulozi in malariji zaradi procesa dopolnitve v letih 2006–2007; delovni dokument osebja Komisije, SEC(2005) 374, str. 6

<sup>5</sup> člen 25(1)(d)

<sup>6</sup> UL L 378, 27.12.2006, str. 41.

<sup>7</sup> Dok. 11177/1/07, odstavek 8(ii) in (iii).

<sup>8</sup> Dok. 16344/07, odstavka 79 in 80.

**Question no 16 by Roger Helmer (H-0186/08)**

Subject: Member State governments and the referendum on the Lisbon Treaty

Were Member State governments involved in any political agreement to avoid a referendum in as many countries as possible?

*Odgovor*

Odgovor, ki ga je pripravilo predsedstvo in ne zavezuje ne Sveta ne držav članic, ni bil dan ustno v času za vprašanja, odmerjenem Svetu na delnem zasedanju Evropskega parlamenta aprila 2008 v Strasbourgu.

Države članice ratificirajo mednarodne pogodbe v skladu s svojimi ustavnimi pravili.

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**Question no 17 by Christopher Heaton-Harris (H-0187/08)**

Subject: Sport in the Lisbon Treaty

Will the addition of the word 'sport' in Article 165 of the Treaty give the European Union a legal competence in sport, and what was the motivation behind the inclusion of sport in the Treaty?

*Odgovor*

Odgovor, ki ga je pripravilo predsedstvo in ne zavezuje ne Sveta ne držav članic, ni bil dan ustno v času za vprašanja, odmerjenem Svetu na delnem zasedanju Evropskega parlamenta aprila 2008 v Strasbourgu.

Člen 165 prečiščene različice temeljnih pogodb, kot ju spreminja Lizbonska pogodba se nahaja pod naslovom XII, Izobraževanje, poklicno usposabljanje, mladina in šport. To je ena izmed notranjih politik in ukrepov Unije. Med drugim je v členu 165 zapisano, da Unija prispeva k spodbujanju evropske razsežnosti v športu. Ob tem pa se upošteva njegova posebna narava, na prostovoljstvu temelječe strukture in njegova družbena in vzgojna vloga. Vendar pa vprašanje poslanca ni v pristojnosti Sveta, saj Svet ni sodeloval na medvladni konferenci, ki je pripravila osnutek lizbonske pogodbe. Poleg tega Lizbonska pogodba še ne velja. Ko pa bo veljala, bo vprašanja razlag razreševalo Sodišče.

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**Question no 18 by Sarah Ludford (H-0189/08)**

Subject: Prüm Implementing Decision and UK NDNAD database

In contrast with most other Member States, the UK national police and NDNAD databases contain the fingerprints and DNA not only of convicted persons but also of those arrested, even for minor offences, but never charged, as well as those acquitted. The draft 'Prüm' implementing decision (Council doc. 14611/07) does not, however, circumscribe the type and quality of data that will be exchanged with other Member States.

Will the Council assure me that the initiative will be amended to limit the types of data subjects whose data is exchanged and to communicate their different status to other Member States in the context of a comparison or search, as advised by the European Data Protection Supervisor (Council doc. 5056/08)?

*Odgovor*

Odgovor, ki ga je pripravilo predsedstvo in ne zavezuje ne Sveta ne držav članic, ni bil dan ustno v času za vprašanja, odmerjenem Svetu na delnem zasedanju Evropskega parlamenta aprila 2008 v Strasbourgu.

Svet meni, da je eden od bistvenih razlogov za uspeh in hitro izvajanje mehanizmov izmenjave podatkov, določenih v Prümški pogodbi, ki bodo prevzeti v sklepu Sveta o poglobitvi čezmejnega sodelovanja (glej. "prümški" sklep)<sup>9</sup> in njegov izvedbeni sklep, dejstvo, da na nacionalne zakonodaje in nacionalne strukture ta sklep ne vpliva. Člen 2 tega sklepa jasno

<sup>9</sup> dok. 11896/07

določa, da je v pristojnosti držav članic, da odločajo o obdelovanju podatkov, ki se hranijo v nacionalni bazi podatkov o deoksiribonukleinski kislini (DNK). Vsaka država članica tudi odloča, katere dele svojih baz podatkov o DNK bo dala na voljo za iskanje in primerjave drugim državam članicam. Ta podatek se objavi v priložniku, ki ga pripravlja in dopolnjuje generalni sekretariat Sveta.

Zato ni v pristojnosti Sveta določati vrste oseb, katerih podatki bi se morali ali se lahko izmenjujejo.

Organi Združenega kraljestva odločijo, katere podatke bodo uporabili in/ali dali na voljo za iskanje in primerjave na podlagi "prümskega" sklepa.

Vendar je treba opozoriti, da so podatki, ki se izmenjujejo na podlagi prümskega sklepa zelo omejeni, tako da se informacije o vrstah zadevnih oseb, na katere se podatki nanašajo, ali njihovem statusu, lahko izmenjajo le, če in potem, ko je ugotovljeno "ujemanje".

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#### **Question no 19 by Jens Holm (H-0192/08)**

Subject: Principle of participatory democracy

Regarding Article 11 of the Treaty of Lisbon on the principle of participatory democracy, does the Council take the view that a million signatures in favour of a referendum on the Treaty of Lisbon have any influence whatsoever?

#### *Odgovor*

Odgovor, ki ga je pripravilo predsedstvo in ne zavezuje ne Sveta ne držav članic, ni bil dan ustno v času za vprašanja, odmerjenem Svetu na delnem zasedanju Evropskega parlamenta aprila 2008 v Strasbourgu.

Lizbonska pogodba še ni začela veljati. V vsakem primeru pa so postopki za ratifikacijo pogodbe določeni v nacionalni zakonodaji in zato spadajo v izključno pristojnost držav članic. Svet zaradi tega ni pristojen za dajanje mnenja glede te zadeve.

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#### **Spørgsmål nr. 20 af Jens-Peter Bonde (H-0194/08)**

Om: Lissabontraktaten

Er der retsvirkninger af udtrykkene "så åbent som muligt" og "så tæt på borgerne som muligt"?

Er lukketheden på regeringskonferencen om Lissabontraktaten i strid med den tilsvarende bestemmelse i Nicetraktaten?

Er den politiske aftale mellem medlemslandene om at aflyse folkeafstemninger i strid med Nicetraktatens demokratinorm?

#### *Odgovor*

Odgovor, ki ga je pripravilo predsedstvo in ne zavezuje ne Sveta ne držav članic, ni bil dan ustno v času za vprašanja, odmerjenem Svetu na delnem zasedanju Evropskega parlamenta aprila 2008 v Strasbourgu.

Vprašanje poslanca ni v pristojnosti Sveta, saj Svet ni sodeloval na medvladni konferenci, ki je pripravila osnutek Lizbonske pogodbe. Sicer pa Lizbonska pogodba še ne velja. Ko bo začela veljati, bo vsa vprašanja glede njene razlage reševalo Evropsko sodišče.

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**Question no 21 by Martin Callanan (H-0196/08)**

Subject: Lisbon Treaty, coordinated action in international forums

Are France and the United Kingdom required to comply with EU decisions in connection with negotiations or decision-making in the UN Security Council, at G8 Summits, etc.?

*Odgovor*

Odgovor, ki ga je pripravilo predsedstvo in ne zavezuje ne Sveta ne držav članic, ni bil dan ustno v času za vprašanja, odmerjenem Svetu na delnem zasedanju Evropskega parlamenta aprila 2008 v Strasbourgu.

Vprašanje poslanca ne spada v področje pristojnosti Sveta, saj Svet ni sodeloval v medvladni konferenci, ki je sestavila Pogodbo. Poleg tega Lizbonska pogodba (še) ni začela veljati.

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**Question no 22 by Nirj Deva (H-0198/08)**

Subject: Space policy in the Lisbon Treaty

Could the research and technological developments contained in Article 179 of the Treaty include the military use of space, and could the joint undertakings contained in Article 187 of the Treaty be undertaken in the area of military use of space?

*Odgovor*

Odgovor, ki ga je pripravilo predsedstvo in ne zavezuje ne Sveta ne držav članic, ni bil dan ustno v času za vprašanja, odmerjenem Svetu na delnem zasedanju Evropskega parlamenta aprila 2008 v Strasbourgu.

Člen 179, prečiščene različice temeljnih pogodb, kot ju spreminja Lizbonska pogodba spada pod naslov Raziskave, tehnološki razvoj in vesolje. V njem je med drugim zapisano, da je cilj Unije okrepiti njene znanstvene in tehnološke temelje z oblikovanjem Evropskega raziskovalnega območja. Vprašanje v povezavi s tem členom, ki ga postavlja spoštovani poslanec ni v pristojnosti Sveta, saj Lizbonska pogodba še ne velja. Ko pa bo veljala, bo vprašanja razlag razreševalo Sodišče.

V členu 187, prečiščene različice temeljnih pogodb, kot so spremenjene z Lizbonsko pogodbo, pa je zapisano, da Unija lahko ustanovi skupna podjetja ali kakršno koli drugo strukturo. S temi skupnimi podjetji ali kakršno koli drugo strukturo se učinkoviteje izvaja raziskovalne, tehnološkorazvojne in demonstracijske programe Unije. Vendar pa vprašanje v povezavi s tem členom, ki ga postavlja spoštovani poslanec, ni v pristojnosti Sveta, saj Lizbonska pogodba še ne velja. Ko pa bo veljala, bo vprašanja razlag razreševalo Sodišče.

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**Fråga nr 23 från Nils Lundgren (H-0200/08)**

Angående: Lissabonfördraget

I artikel 136 i Lissabonfördraget behandlas samordning och övervakning av euroländernas budgetdisciplin och de ekonomisk-politiska riktlinjerna. Anser rådet att Sverige utifrån denna artikel, och utifrån Lissabonfördraget i stort, är skyldigt att delta i eurosamarbetet när/om landet uppfyller bestämmelserna? Vilka åtgärder kan vidtas för euroländerna som inte går att vidta för icke-euroländerna?

*Odgovor*

Odgovor, ki ga je pripravilo predsedstvo in ne zavezuje ne Sveta ne držav članic, ni bil dan ustno v času za vprašanja, odmerjenem Svetu na delnem zasedanju Evropskega parlamenta aprila 2008 v Strasbourgu.



Vprašanje poslanca ne spada v področje pristojnosti Sveta, saj Svet ni sodeloval v medvladni konferenci, ki je sestavila osnutek lizbonske pogodbe. Poleg tega Lizbonska pogodba še ne velja. Ko bo začela veljati, bo vsa vprašanja glede njene razlage reševalo Evropsko sodišče.

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**Question no 24 by Syed Kamall (H-0203/08)**

Subject: International agreements in Lisbon Treaty

Could the Council list the areas in which, if the Lisbon Treaty is ratified, the Union would not be able to conclude international agreements?

*Odgovor*

Odgovor, ki ga je pripravilo predsedstvo in ne zavezuje ne Sveta ne držav članic, ni bil dan ustno v času za vprašanja, odmerjenem Svetu na delnem zasedanju Evropskega parlamenta aprila 2008 v Strasbourgu.

Vprašanje se navezuje na razlago določb Lizbonske pogodbe, ki spreminja Pogodbo o Evropski uniji in Pogodbo o ustanovitvi Evropske skupnosti. Poslanec gotovo ve, da je Lizbonska pogodba predložena v ratifikacijo državam članicam.

Predsedstvo Sveta ni pristojno za to vprašanje, ker Lizbonska pogodba ni veljavna; ko bo začela veljati, bo vsa vprašanja glede njene razlage reševalo Evropsko sodišče.

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**Question no 25 by David Martin (H-0210/08)**

Subject: Kosovan independence

What message does the Council believe Kosovo's declaration of independence sends to other separatist movements within the European Union?

*Odgovor*

Odgovor, ki ga je pripravilo predsedstvo in ne zavezuje ne Sveta ne držav članic, ni bil dan ustno v času za vprašanja, odmerjenem Svetu na delnem zasedanju Evropskega parlamenta aprila 2008 v Strasbourgu.

Svet je 18. februarja 2008 sprejel naslednji sklep: "Svet ponovno poudarja, da EU spoštuje načela Listine ZN in Helsinške sklepne listine, med drugim načeli suverenosti in ozemeljske celovitosti, ter vse resolucije Varnostnega sveta ZN. Ponovno poudarja svoje prepričanje, da glede na spopade v devetdesetih letih prejšnjega stoletja ter podaljšano obdobje mednarodne uprave na podlagi resolucije VS št. 1244, Kosovo predstavlja primer sui generis, ki omenjenih načel in resolucij ne postavlja pod vprašaj."

Da je primer Kosova edinstven, poudarja resolucija Varnostnega sveta ZN št. 1244, ki jo je sprejel Varnostni svet ZN po humanitarni tragediji, ko je skoraj 800.000 prebivalcev Kosova moralo zapustiti svoje domove in je bila ogrožena regionalna stabilnost. Ta resolucija je uvedla začasno upravo ZN na Kosovu, ki predvideva politični proces za določitev prihodnjega statusa Kosova. Na podlagi poročila veleposlanika Kaija Eideja, ki je bilo predloženo Varnostnemu svetu 7. oktobra 2005, je generalni sekretar ZN priporočil, naj se začne proces za določitev prihodnjega statusa Kosova v skladu z Resolucijo Varnostnega sveta ZN št. 1244, in imenoval posebnega odposlanca za vodenje tega procesa. S tem procesom se želi doseči učinkovito sodelovanje kosovskih Srbov in drugih državljanov ter skupnosti Kosova.

Ker je primer Kosova edinstven, ne šteje za precedenčni primer za druge situacije – vključno s situacijami znotraj Evropske unije.

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**Vraag nr. 26 van Frank Vanhecke (H-0213/08)**

Betreft: Vrijheid van godsdienst in Algerije

In Algerije kaartten onlangs christelijke bisschoppen bij het ministerie van godsdienstige aangelegenheden de uitwijzingen en veroordelingen aan waarvan christenen in Algerije toenemend het slachtoffer zijn sinds de goedkeuring van de wet van februari 2006 die het statuut van de godsdienstige minderheden regelt. Verschillende bepalingen maken een fundamentele schending uit van de vrijheid van godsdienst. Zo wordt een gevangenisstraf van vijf jaar en een boete van ongeveer 10.000 euro voorzien voor eenieder die "aanzet tot of verleidingsmiddelen gebruikt om een moslim tot een andere godsdienst te bekeren".

Maken de betreffende bepalingen een schending uit van de 'wezenlijk onderdeel' clausule van artikel 2 van de associatieovereenkomst van 22 april 2002? Is de Raad van plan om dienaangaande vertegenwoordigers van de christelijke minderheid in Algerije te contacteren? Welke stappen zal de Raad ondernemen in het kader van artikel 104 § 2 en in het kader van de politieke dialoog, zoals voorzien door de overeenkomst?

*Odgovor*

Odgovor, ki ga je pripravilo predsedstvo in ne zavezuje ne Sveta ne držav članic, ni bil dan ustno v času za vprašanja, odmerjenem Svetu na delnem zasedanju Evropskega parlamenta aprila 2008 v Strasbourgu.

V zvezi z vprašanjem svobode veroizpovedi in vesti Svet z zaskrbljenostjo ugotavlja, da so bili pred kratkim ugotovljeni primeri diskriminacije.

Svet obžaluje, da so v okviru veljavne zakonodaje v Alžiriji možnosti nemuslimanskih veroizpovedi zelo omejene. Na nedavnem srečanju Pridružitvenega sveta z Alžirijo 10. marca je zato izrazil svojo zaskrbljenost. Ob tej priložnosti je Alžirijo pozval, naj ukrene vse potrebno, da prepreči vsakršno diskriminacijo in spodbuja strpnost v zadevah, povezanih s kulturo, izražanjem verskih in drugih prepričanj, manjšinami in spolno usmerjenostjo, ter tako spoštuje obveznosti, ki jih je sprejela na mednarodni ravni.

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**Question no 27 by Daniel Dăianu (H-0215/08)**

Subject: Tax evasion

Germany, its citizens and honest politicians have plenty of reasons to be incensed by the revelations that top local business people have defrauded state coffers by making use, illegally, of European tax havens. But, arguably, all EU Member States are faced with this misconduct to a greater or lesser extent. One way to look at this problem is to try to close all loopholes, which would involve the status of current tax havens. But there is a broader aspect at stake here, which is the social responsibility of people at the apex of economic, and sometimes political, power; when they misbehave so blatantly they not only bring their reputation down, but they also deal severe blows to the functioning of our institutions.

How does the Council intend to broaden the scope of the fight against tax evasion to the area of moral accountability and the need to prevent the erosion of our citizens' confidence in democratic institutions? Can we ask citizens at large to undergo painful reforms, were they needed, while some of those much better off disregard fundamental tenets of decency and civic behaviour?

*Odgovor*

Odgovor, ki ga je pripravilo predsedstvo in ne zavezuje ne Sveta ne držav članic, ni bil dan ustno v času za vprašanja, odmerjenem Svetu na delnem zasedanju Evropskega parlamenta aprila 2008 v Strasbourgu.

Davki so v pristojnosti držav članic in ker harmonizacije na tem področju ni, lahko svobodno sprejemajo ukrepe in oblikujejo predpise, ki ustrezajo nacionalnim ciljem in potrebam, vendar morajo to pristojnost uresničevati v skladu z zakonodajo Skupnosti.

Poslanec gotove ve, da lahko Svet ukrepe za harmonizacijo sprejema le na predlog Komisije. V smeri, ki jo je nakazal poslanec, trenutno ni nobenega takšnega predloga.

Odločanje o tem, ali naj se sprejmejo ukrepi, s katerimi bi dosegli cilje, ki jih navaja poslanec, in kakšni naj bodo ti ukrepi, je v rokah držav članic.

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**Ερώτηση αρ. 28 του κ. Δημητρίου Παπαδημούλη (H-0220/08)**

Θέμα: Ευρωπαϊκή προοπτική της Σερβίας

Στην πρόσφατη ανακοίνωση της Επιτροπής σχετικά με την ευρωπαϊκή προοπτική των Δυτικών Βαλκανίων (COM(2008)0127) αναφέρεται ότι η Ευρωπαϊκή Ένωση δεσμεύεται να υπογράψει την Συμφωνία Σταθεροποίησης και Σύνδεσης (SAA) με την Σερβία, μόλις επιτευχθούν τα απαραίτητα βήματα.

Ερωτάται το Συμβούλιο: Ποια είναι αυτά τα βήματα; Ποιο το χρονοδιάγραμμα για την υπογραφή της Συμφωνίας;

*Odgovor*

Odgovor, ki ga je pripravilo predsedstvo in ne zavezuje ne Sveta ne držav članic, ni bil dan ustno v času za vprašanja, odmerjenem Svetu na delnem zasedanju Evropskega parlamenta aprila 2008 v Strasbourg.

Svet in Komisija sta se na začetku pogajanj o stabilizacijsko-pridružitenem sporazumu (SPS) oktobra 2005 odločila, da bo SPS podpisan, potem ko bosta skupaj preučila napredek, dosežen na treh področjih:

- razvoj zakonodajnega okvira in upravnih zmogljivosti, da bo mogoče pravilno izvajati morebitni SPS;
- učinkovito izvajanje Ustavne listine državne skupnosti Srbije in Črne gore ter
- popolno sodelovanje z MKSJ.

Komisija naj bi o tem poročala Svetu.

Prva točka ne povzroča posebnih težav. V zadnjem poročilu o napredku z novembra 2007 Komisija izpostavlja napredek na področju reforme javne uprave, ki je celotno gledano v skladu z evropskimi standardi. V kontekstu pogajanj o SPS-u je Srbija izkazala dobro administrativno usposobljenost. Upoštevajoč institucionalne sposobnosti Srbije je Svet v zaključkih decembrskega Sveta za splošne zadeve in zunanje odnose izrazil optimizem, da je Srbija zmožna pospešiti priprave na poti v EU.

Druga točka ni več aktualna, saj državna skupnost Srbije in Črne gore ne obstaja več. V zvezi s tretjo točko je Svet v zaključkih večkrat poudaril pomen polnega sodelovanja Srbije z MKSJ. Z zadovoljivo rešitvijo tega vprašanja je povezan tudi podpis SPS. Pomemben kazalec za oceno izpolnjevanja omenjenega kriterija bo naslednje poročilo glavnega tožilca MKSJ Brammertza.

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**Question no 29 by Bill Newton Dunn (H-0222/08)**

Subject: Study requested by the Council and Parliament, but refused by the Commission

In the 2008 budget, Council and Parliament jointly asked the Commission for 'a study on the feasibility of and obstacles to the creation of a federal police force for the European Union', entered under Item XX 01 02 11 04, and the two institutions voted money for the study to be carried out.

What is the Council's opinion about the unelected Commission defying the will of the elected governments and of the elected MEPs by refusing to carry out the study?

*Odgovor*

Odgovor, ki ga je pripravilo predsedstvo in ne zavezuje ne Sveta ne držav članic, ni bil dan ustno v času za vprašanja, odmerjenem Svetu na delnem zasedanju Evropskega parlamenta aprila 2008 v Strasbourg.

Svet ni razpravljala niti o študiji, ki jo omenja poslanec Newton Dunn, niti o samem predmetu študije.

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### **Pergunta nº 30 do Armando França (H-0224/08)**

Assunto: E-Justice

Na reunião de Ministros da Justiça e dos Assuntos Internos de 1 e 2 de Outubro de 2007, os Estados-Membros concordaram que a Justiça terá de se modernizar e utilizar os recursos electrónicos, para tornar a justiça célere, eficaz, próxima dos cidadãos e das empresas e mais barata. A justiça electrónica (E-Justice) integra o programa das Presidências Alemã, Portuguesa e Eslovena e foi uma das prioridades da Presidência Portuguesa, que desenvolveu o protótipo do portal de E-justice.

Considerando a importância do E-Justice para a Justiça e para a cooperação nesta área da actividade da UE, pergunto qual o estado de desenvolvimento do protótipo de portal do E-Justice europeu, que serviços vai ter e para quando a sua conclusão.

### *Odgovor*

Odgovor, ki ga je pripravilo predsedstvo in ne zavezuje ne Sveta ne držav članic, ni bil dan ustno v času za vprašanja, odmerjenem Svetu na delnem zasedanju Evropskega parlamenta aprila 2008 v Strasbourg.

Svet želi poslancu zagotoviti, da je e-pravosodje pomembna prednostna naloga, katere cilj je na evropski ravni vzpostaviti tehnično platformo, ki bo na pravosodnem področju omogočila dostop do sedanjih ali prihodnjih elektronskih sistemov na nacionalni ravni, na ravni Skupnosti, po potrebi pa tudi na mednarodni ravni.

Svet preučuje obseg sistema e-pravosodja in natančno vsebino portala. Prihodnji portal za e-pravosodje naj bi ne glede na izid teh razprav predstavlja enotno točko dostopa državljanov in pravnikov do pravosodnih zadev. Portal naj bi z vključitvijo internetnih virov držav članic in EU omogočil dostop do pravnih informacij, pravosodnih organov, registrov, podatkovnih zbirk in drugih razpoložljivih storitev ter tako državljanom in pravnikom olajšal vsakdanje delo, povezano z evropskim pravosodnim območjem.

Svet je tudi že razpravljala o časovnici za odprtje portala za javnost. Komisija je najavila pripravo sporočila o e-pravosodju, ki ga bo Svet upošteval v nadaljnjih razpravah. Poudariti je treba, da bi morale države članice, še preden javnosti omogočijo dostop do portala, preveriti njegovo delovanje in ga preizkusiti, da ugotovijo, ali obstajajo morebitne tehnične ali organizacijske težave, ter zagotovijo, da bo portal z vidika vsebine državljanom v vsakdanjem življenju dejansko prinesel dodano vrednost.

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### **Zapytanie nr 31 skierowane przez Zdzisław Kazimierz Chmielewski (H-0236/08)**

Przedmiot: Technologie wodorowe i ogniwa paliwowe

W trakcie mojej współpracy z ekspertami w sprawie rozporządzenia Rady dotyczącej ustanowienia wspólnego przedsięwzięcia na rzecz ogniw paliwowych i technologii wodorowych, pojawiła się opinia, która wydała mi się na tyle zaskakująca, że postanowiłem nią zainteresować Radę. Jej autorem jest uznany autorytet w zakresie atomistyki. Technologie wodorowe i ogniwa wodorowe zostały przedstawione w dokumencie niezwykle entuzjastycznie – prawie jako panaceum na problemy energetyki i ochrony środowiska. Tymczasem wodor jest tylko nośnikiem energii. Aby wytworzyć ten nośnik trzeba wykorzystać inne źródła energii i to – w zależności od zastosowanej technologii – z różną wydajnością: od kilku procent (normalna elektroliza w temperaturze pokojowej) do max 80% (wysokotemperaturowy rozkład wody). Jeśli stosujemy metan lub gaz ziemny – to też musimy go gdzieś kupić lub wytworzyć.

Dodatkowo, technologie przechowywania wodoru lub jego transportu są następnym trudnym problemem w wykorzystaniu tego nośnika energii.

Co na to eksperci Rady?

*Odgovor*

Odgovor, ki ga je pripravilo predsedstvo in ne zavezuje ne Sveta ne držav članic, ni bil dan ustno v času za vprašanja, odmerjenem Svetu na delnem zasedanju Evropskega parlamenta aprila 2008 v Strasbourgu.

Spoštovani poslanec, lahko ste prepričani, da se Svet popolnoma zaveda kompleksnosti tehnoloških izzivov, ki jih je treba upoštevati pri obravnavanju široke uporabe vodika in gorivnih celic v evropskem prometnem sistemu. Zato je Svet v splošnem pristopu glede osnutka uredbe Sveta o ustanovitvi skupnega podjetja za gorivne celice in vodik, ki ga je predložila Komisija, navedel (dok. 6935/08, uvodna izjava 9 na strani 4): "Tehnološki izziv na področju gorivnih celic in vodika je zelo kompleksen in obsežen, tehnične sposobnosti pa so zelo razpršene." Naloga strokovnjakov na področju raziskav in tehnološkega razvoja je zato ugotoviti tehnološki in gospodarski potencial te teoretično obetavne nove tehnologije ter se soočiti z njo povezanimi tehnološkimi in gospodarskimi izzivi, preden se na podlagi utemeljenih in nespornih znanstvenih dokazov sprejme kakršna koli odločitev o njeni uporabi. Za znanstvene dokumente je značilno, da možne uporabe nove tehnologije predstavijo tako, da se včasih zdi, kot da obljublajo zdravilo za vse; včasih pa so v omenjenih znanstvenih dokumentih dejansko le našteje vse možne uporabe tehnologije, ki jih je treba še raziskati. Ob koncu poglobljene raziskave se tako lahko izkaže, da so resnično obetavne nekatere, vse ali pa nobena od potencialno obetavnih uporab. Vendar je to običajen način doseganja znanstvenega napredka.

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**Ερώτηση αρ. 32 της κ. Ρόδης Κράτσα-Τσαγκαροπούλου (H-0238/08)**

Θέμα: Το μέλλον των ευρωπαϊκών οργανισμών στη θεσμική δομή της ΕΕ

Με αφορμή τη δημοσίευση της πρόσφατης ανακοίνωσης της Επιτροπής για το μέλλον των ευρωπαϊκών οργανισμών<sup>10</sup> ποια θεωρεί το Συμβούλιο πως είναι η σημασία των αποκεντρωμένων οργανισμών για τη θεσμική παρουσία της Ευρωπαϊκής Ένωσης στο έδαφος των κρατών μελών; Με ποια κριτήρια αξιολογεί το Συμβούλιο την επίτευξη της αποστολής τους καθώς και των συγκεκριμένων στόχων τους, όπως αυτοί προβλέπονται στις ιδρυτικές πράξεις των οργανισμών; Ποια είναι η άποψή του για την πρόταση της Επιτροπής για την ίδρυση μιας Ευρωπαϊκής Αρχής για την Αγορά Ηλεκτρονικών Επικοινωνιών, πρόταση η οποία σύμφωνα με την εν λόγω ανακοίνωση εξακολουθεί να ισχύει; Θεωρεί την προτεινόμενη νομική βάση επαρκή για την ίδρυση της αρχής;

*Odgovor*

Odgovor, ki ga je pripravilo predsedstvo in ne zavezuje ne Sveta ne držav članic, ni bil dan ustno v času za vprašanja, odmerjenem Svetu na delnem zasedanju Evropskega parlamenta aprila 2008 v Strasbourgu.

Svet še ni zavzel stališča glede sporočila Komisije o prihodnosti evropskih agencij, ki ga je omenila poslanka.

Nekateri akti o ustanovitvi agencije določajo, da se ovrednotijo rezultati, ki jih je dosegla agencija, in njene delovne metode, ali pa vsebujejo klavzulo o pregledu. Uredba 881/2004 o ustanovitvi Evropske agencije za železniški promet, na primer, določa, da se ovrednotijo rezultati, ki jih je agencija dosegla, in njene delovne metode. To opravi Komisija, ki lahko po potrebi predstavi predlog za revizijo te uredbe. Uredba o ustanovitvi Evropske agencije za varnost hrane predvideva neodvisno zunanjo revizijo, ki jo agencija v sodelovanju s Komisijo naroči vsakih šest let. Svet ni udeležen v tej reviziji, razen če ji ne sledi zakonodajni predlog za revizijo akta o ustanovitvi agencije.

Vendar pa sta Evropski parlament in Svet kot dve veji proračunskega organa 18. aprila 2007 sprejela skupno izjavo o agencijah Skupnosti, s katero pozivata Komisijo, naj:

- predloži letni proračunski pregled vseh obstoječih in bodočih agencij Skupnosti, ki bi moral vsebovati proračunske podatke o njihovih osnovnih aktih, ključnih proračunskih kazalnikih, številu zaposlenih ter razmerju med odhodki za poslovanje in upravnimi odhodki;
- pred ustanovitvijo nove agencije opravi temeljito analizo stroškov in koristi in dosledno upošteva ter podpira postopek iz točke 47 Medinstitucionalnega sporazuma;
- redno ocenjuje obstoječe agencije Skupnosti, zlasti glede razmerja med stroški in koristmi;
- izvaja klavzule o pregledu, ki so predvidene v predpisih posamičnih agencij.

<sup>10</sup> Ανακοίνωση της Επιτροπής προς το Ευρωπαϊκό Κοινοβούλιο και το Συμβούλιο "European Agencies - The way forward", 11.3.2008, COM(2008)0135.

Svet trenutno preučuje predloge Komisije v povezavi z elektronskimi komunikacijami/z okvirom za elektronske komunikacije in še ni zavzel stališča glede predloga Komisije za ustanovitev organa za trg evropskih elektronskih komunikacij.

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**Vraag nr. 33 van Johan Van Hecke (H-0242/08)**

Betreft: Uitblijvende aandacht voor Somalië

Somalië wordt geplaagd door geweld, stijgende inflatie en aanhoudende droogte. Voedselhulp komt nauwelijks bij de reeds honderdduizenden vluchtelingen aan. In 2007 alleen al vluchtten naar schatting 700.000 inwoners van de hoofdstad Mogadishu voor het geweld tussen islamitische militieën en troepen van de regering die door Ethiopië gesteund wordt. Somalië wordt al beschouwd als de moeilijkste plek ter wereld voor humanitaire organisaties om te opereren. Volgens sommige VN-ambtenaren is de situatie in Somalië mogelijk nog erger dan in Darfur.

De Raad gaf reeds te kennen dat hij de ontvoering van de medewerkers van Médecins sans frontières in het begin van 2008 in Somalië niet had besproken. Begin april werden twee VN-medewerkers ontvoerd. Hoeveel hulpverleners moeten er nog verdwijnen voor de Raad overtuigd wordt van de noodzaak Somalië op de agenda te plaatsen? De internationale gemeenschap mag de ogen niet sluiten voor de dramatische situatie in Somalië.

*Odgovor*

Odgovor, ki ga je pripravilo predsedstvo in ne zavezuje ne Sveta ne držav članic, ni bil dan ustno v času za vprašanja, odmerjenem Svetu na delnem zasedanju Evropskega parlamenta aprila 2008 v Strasbourgu.

Svet se strinja, da si mednarodna skupnost ne sme zatiskati oči pred razmerami v Somaliji. Zato vprašanje Somalije ostaja prednostna naloga Sveta.

Visoki predstavnik za SZVP Javier Solana se je februarja 2008 sestal z Nurom Hasanom Huseinom, novim ministrskim predsednikom prehodne zvezne vlade (TFG).

Trojka EU je 25. marca 2008 obiskala Mogadiš in se pogovarjala s predsednikom in ministrskim predsednikom, s starešinami plemena Hawiye, predstavniki civilne družbe in poveljnikom sil misije Afriške unije v Somaliji (AMISOM). Cilj obiska trojke je bil:

- izraziti podporo EU novi vladi in njenemu napovedanemu programu prednostnih nalog;
- izraziti polno podporo EU učinkoviti strategiji sprave med TFG in opozicijo na vseh ravneh, da bi se prehodno obdobje uspešno zaključilo;
- izraziti željo EU po večji usklajenosti znotraj vodstvenih struktur v institucijah prehodne zvezne vlade; in
- ohraniti vlogo EU kot akterja, ki podpira trajnostno politično rešitev za Somalijo ob usklajevanju svojih dejavnosti z mednarodno skupnostjo pod vodstvom ZN.

Svet je večkrat poudaril pomen vodstva ZN pri mednarodni podpori političnemu procesu v Somaliji in tudi, da se je treba izogibati nasprotujočim si pobudam. Izrazil je tudi podporo AMISOM (misiji Afriške unije v Somaliji).

Svet je tudi izjavil, da bi morala EU dejavno podpreti ukrepe za krepitev spoštovanja človekovih pravic ter za reševanje pomanjkanja odgovornosti in odpravljanje kulture nekaznovanja v Somaliji.

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**Anfrage Nr. 34 von Bernd Posselt (H-0245/08)**

Betrifft: Autobahn Spielfeld-Maribor-Zagreb

Kennt der Rat den Zeitplan für die Fertigstellung der Autobahnverbindung von der Steiermark (Spielfeld–Straß) durch Slowenien (Maribor/Marburg) nach Kroatien, und wie beurteilt er den Fortgang dieser nicht nur für Bayern, Österreich, Slowenien und Kroatien, sondern für ganz Europa wichtigen Arbeiten?

*Odgovor*

Odgovor, ki ga je pripravilo predsedstvo in ne zavezuje ne Sveta ne držav članic, ni bil dan ustno v času za vprašanja, odmerjenem Svetu na delnem zasedanju Evropskega parlamenta aprila 2008 v Strasbourgu.

Svet želi poslanca obvestiti, da spada zgoraj navedena zadeva v nacionalno pristojnost in je pristojni organi Sveta nikoli niso obravnavali. Svet zato ni primeren organ za obravnavo tega vprašanja in o njem ne more zavzeti stališča.

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**Question no 35 by Richard Howitt (H-0248/08)**

Subject: Renewal of the regulation on GSP+ status for beneficiary countries

When does the Council expect to take the decision on the renewal of Regulation (EC) No 980/2005<sup>11</sup> on GSP+ trade concessions, and which timetable and mechanisms will the Council use in assessing whether beneficiary countries actually ratify and implement the human and labour rights conventions necessary in order to receive the trade preferences?

What consultation has been or will be undertaken with the European Commission and the European Parliament on this question, and when? What evidence will the Council use in evaluating the impact of the trade preference on trade when considering its decision, and will the Council request further research on the issue in the interim period?

*Odgovor*

Odgovor, ki ga je pripravilo predsedstvo in ne zavezuje ne Sveta ne držav članic, ni bil dan ustno v času za vprašanja, odmerjenem Svetu na delnem zasedanju Evropskega parlamenta aprila 2008 v Strasbourgu.

Splošni sistem preferencialov (GSP), tudi "poseben spodbujevalni režim za trajnostni razvoj in dobro upravljanje" (GSP+), je odobren v obliki večletnih izvedbenih uredb. Prva od njih, Uredba o GSP (ES) št. 980/2005, bo prenehala veljati 31. decembra 2008.

Svet na podlagi predloga Komisije trenutno preučuje osnutek uredbe, ki zajema obdobje od 1. januarja 2009 do 31. decembra 2011. Predlog je bil predložen tudi Evropskemu parlamentu, ki je o njem dal mnenje.

Kot pri vsakem zakonodajnem predlogu bo Svet pri sprejetju te uredbe sledil postopkom iz pogodb ter obenem upošteval institucionalno ravnovesje iz teh pogodb.

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**Ερώτηση αρ. 36 της κ. Διαμάντως Μανωλάκου (H-0250/08)**

Θέμα: Εκφοβισμός σε βάρος κροάτη νεολαίου αγωνιστή

Πριν από λίγες ημέρες, οι αρχές της Κροατίας, χώρας υποψήφιας για ένταξη στην ΕΕ, προέβησαν σε πράξεις εκφοβισμού: έρευνας κατ' οίκον και ανάκρισης του νεολαίου Vinco Draca, μέλους της οργάνωσης «S.O.S. Ένωση Νεολαίας της Κροατίας», με την αιτιολογία ότι είχε στην κατοχή του αφίσες του Διεθνούς Καραβανιού Αλληλεγγύης, που διοργάνωσε η Π.Ο.Δ.Ν. από τις 3-6.4.2008, σε βαλκανικές πρωτεύουσες, με τη συμμετοχή πολλών κομμουνιστικών και αντιιμπεριαλιστικών οργανώσεων νεολαίας. Ως λόγος, για την ωμή καταπάτηση στοιχειωδών δημοκρατικών δικαιωμάτων, οι κροατικές αρχές επικαλέστηκαν την επίσκεψη του αμερικανού προέδρου Μπους στην Κροατία.

Καταδικάζει το Συμβούλιο τέτοιου είδους ενέργειες που στοχεύουν να τρομοκρατήσουν και να εμποδίσουν την πολιτική δράση της προοδευτικής νεολαίας και καταπατούν βάνανυσα τα θεμελιώδη δημοκρατικά δικαιώματα των νέων;

*Odgovor*

Odgovor, ki ga je pripravilo predsedstvo in ne zavezuje ne Sveta ne držav članic, ni bil dan ustno v času za vprašanja, odmerjenem Svetu na delnem zasedanju Evropskega parlamenta aprila 2008 v Strasbourgu.

<sup>11</sup> OJ L 169, 30.6.2005, p. 1.

Svet ni seznanjen s podrobnostmi in okoliščinami primera Vinka Drače, na katerega se vprašanje nanaša.

Vendar pa želi poslanki zagotoviti, da je splošno stališče EU glede spoštovanja temeljnih načel demokracije in človekovih pravic zelo jasno, ravno tako pa tudi njena zavezanost tem načelom. Hrvaška mora kot država, ki se pogaja za pristop k EU, izpolniti politična merila, določena na zasedanju Evropskega sveta v Kopenhagnu, tj. z vzpostavitvijo stabilnih institucij, ki zagotavljajo demokracijo, pravno državo, človekove pravice in zaščito manjšin.

Glede na zahteve iz pogajalskega okvira se od Hrvaške poleg tega pričakuje nadaljevanje procesa reform in nadaljnje izboljšanje v zvezi z načeli svobode, demokracije, spoštovanja človekovih pravic in temeljnih svoboščin ter pravne države, na katerih temelji Evropska unija.

Vsa ta vprašanja se obravnavajo na srečanjih Stabilizacijsko-pridružitvenega sveta (naslednje bo potekalo 28. aprila v Luxembourg) in v okviru pristopnih pogajanj glede ustreznega poglavja, torej o pravosodju in temeljnih pravicah. Pristojni organi Sveta poleg tega ta vprašanja spremljajo in nadzirajo izvajanje revidiranega partnerstva za pristop.

Svet lahko na podlagi navedenega poslanki zagotovi, da bo še naprej pozorno spremljal vprašanje temeljnih pravic ter poskrbel za to, da ga bodo obravnavali na vseh ustreznih ravneh.

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### **Question no 37 by Jean Lambert (H-0252/08)**

Subject: Comfort women: wartime sexual enslavement before and during World War II by the Japanese Imperial Army

On 13 December 2007 the European Parliament passed a resolution P6\_TA(2007)0632 which, amongst other things, called upon the Japanese Government formally to accept historical and legal responsibility for the subjugation and enslavement of 'comfort women', and to refute publicly any claims that these atrocities never occurred. Acknowledging and compensating victims for crimes committed in the past in Japan would send a much needed signal, given that sexual violence against women is still used as a tool of war in conflict-affected areas.

Building on Parliament's resolution in December and on statements of intent by both the Slovenian and the upcoming French Presidencies to prioritise the rights of women in armed conflicts, what action has the Council taken to follow up on the resolution of the European Parliament? Is the Council planning to use the forthcoming EU-Japan Summit to call for an apology from the Japanese Government and an acknowledgement that what happened to the comfort women constitutes a crime under international law? What further plans does the Council have to take forward this commitment through the use of other relevant upcoming meetings?

### *Odgovor*

Odgovor, ki ga je pripravilo predsedstvo in ne zavezuje ne Sveta ne držav članic, ni bil dan ustno v času za vprašanja, odmerjenem Svetu na delnem zasedanju Evropskega parlamenta aprila 2008 v Strasbourg.

Svet se je seznanil z resolucijo Evropskega parlamenta z dne 13. decembra 2007 o pravici za "tolažnice" (spolne sužnje v Aziji pred drugo svetovno vojno in med njo).

EU pripisuje poseben pomen pravicam žensk in vprašanju nasilja nad ženskami.

EU v skladu z mednarodnimi standardi človekovih pravic ter na podlagi etičnih in ustavnih načel, ki so skupna vsem državam članicam EU, nenehno poziva vlade tretjih držav, naj se zavežejo resolucijam in odločitvam forumov ZN in začnejo izvajati zakonodajo in ukrepe, katerih cilj je ženskam zagotoviti polno uživanje človekovih pravic in temeljnih svoboščin.

V zvezi s tem opozarjamo, da je Svetovna konferenca o človekovih pravicah v Dunajski deklaraciji in akcijskem programu iz leta 1993 pozvala, naj ženske v celoti in enakovredno uživajo vse človekove pravice, kar naj postane prednostna naloga vlad in Združenih narodov.

EU in Japonska o vprašanih človekovih pravic redno razpravljata v okviru trojke EU-Japonska o človekovih pravicah.

Za vprašanje varstva žensk, ki so jih prizadeli oboroženi spopadi, se zanima tudi slovensko predsedstvo.



EU bo to zadevo še naprej pozorno spremljala.

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**Întrebarea nr. 38 a doamnei Silvia-Adriana Țicău (H-0253/08)**

Subiect: Stadiul revizuirii strategice a politicii energetice

Consiliul European din martie 2008 a subliniat importanța creșterii securității energetice a Uniunii. Consiliul European din martie 2007 a declarat proiectul Nabucco proiect de interes european pentru diversificarea surselor de aprovizionare cu energie și siguranța energetică a Uniunii. Doresc să întreb Consiliul care este stadiul revizuirii strategice a politicii energetice care se va concentra pe securitatea aprovizionării cu energie, pe interconectare și pe politica externă a Uniunii în domeniul energiei, revizuire anunțată în martie la Consiliul European.

*Odgovor*

Odgovor, ki ga je pripravilo predsedstvo in ne zavezuje ne Sveta ne držav članic, ni bil dan ustno v času za vprašanja, odmerjenem Svetu na delnem zasedanju Evropskega parlamenta aprila 2008 v Strasbourgu.

Kot je že omenila poslanka, je Evropski svet na obeh zasedanjih, tj. marca 2007 in marca 2008, opozoril na pomen energetske varnosti v EU, ki je sestavni del akcijskega načrta 2007–2009 "Energetska politika za Evropo". Kakor je bilo navedeno v sklepih Evropskega sveta iz marca 2008, naj bi bil drugi strateški pregled energetske politike predstavljen novembra 2008. Kot je poslanki znano, je za pripravo tega pregleda pristojna Komisija; za podrobne informacije o trenutnem stanju se je zato potrebno obrniti na Komisijo.

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**Pergunta nº 39 do Pedro Guerreiro (H-0255/08)**

Assunto: Relações da União Europeia com Cuba

Tendo em conta as sanções adoptadas pela União Europeia em 2003 - e entretanto não aplicadas - e a sua posição comum de 1996 relativamente a Cuba, que aponta como objectivo a promoção de transformações políticas, numa atitude de ostensiva ingerência neste país soberano; Pergunto ao Conselho quais as iniciativas que estão a ser tomadas pela União Europeia para normalizar as suas relações com Cuba, e, designadamente, para o afastamento dos obstáculos que foram objectivamente criados para as dificultar, como as sanções e a posição comum relativas a este país.

*Odgovor*

Odgovor, ki ga je pripravilo predsedstvo in ne zavezuje ne Sveta ne držav članic, ni bil dan ustno v času za vprašanja, odmerjenem Svetu na delnem zasedanju Evropskega parlamenta aprila 2008 v Strasbourgu.

Ukrepe, ki jih omenja poslanec Guerreiro, je Svet sprejel leta 2003, z njimi pa se je odzval na zaporne kazni za 75 članov miroljubne opozicije, ker so uveljavljali pravico do svobode izražanja. Kuba je zaradi tega sklenila zamrzniti odnose z oblastmi tistih držav članic EU, katerih veleposlaništva so vabila člane miroljubne opozicije na slovesnosti ob državnih praznikih. Zaradi poskusov, da bi se odnosi med EU in Kubo zopet normalizirali, je leta 2005 EU enostransko suspendirala ukrepe iz leta 2003.

Kot je navedeno v sklepih Sveta iz junija 2007, EU priznava pravico Kubancev, da sami odločajo o svoji prihodnosti, in je še vedno pripravljena tvorno prispevati k prihodnjemu razvoju vseh sektorjev kubanske družbe, tudi z razvojnim sodelovanjem.

EU pa kubanske oblasti še naprej opozarja na obveznosti spodbujanja in spoštovanja človekovih pravic in svoboščin svojih državljanov, tudi glede na članstvo Kube v Svetu ZN za človekove pravice.

V Svetu še naprej potekajo razprave o preverjanju možnosti za ponovno vzpostavitev celovitega in odprtega dialoga s Kubo v skladu s sklepi Sveta iz junija 2007, kar je odvisno tudi od Kube, da sprejme predlog za politični dialog in se odzove povabilu na srečanje v Bruslju.

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**Klausimas Nr. 40, pateikė Laima Liucija Andrikienė (H-0257/08)**

Tema: Vėžio prevencijos strategija

Kova su vėžiu – vienas svarbiausių ES pirmininkaujančios šalies prioritetų. Pasak ekspertų, onkologinių susirgimų plitimui didelę įtaką padarė 1986 m. balandžio 26 d. įvykusi Černobylio katastrofa, kurios pasekmės jaučiamos ir dabar ne tik Ukrainoje ir Baltarusijoje, bet ir kitose regiono valstybėse ES narėse: Lenkijoje, Latvijoje, Lietuvoje. Su Černobylio katastrofa ekspertai sieja didėjantį onkologinių, širdies ir kraujagyslių susirgimų skaičių, jaunų šeimų nevaisingumo problemas ir kt.

Kokių priemonių imasi Taryba siekdama įgyvendinti savo prioritetą – kovą su vėžiu? Ar yra parengtas veiksmų planas šioms problemoms spręsti Europos Sąjungoje? Ar yra vėžio prevencijos strategija?

*Odgovor*

Odgovor, ki ga je pripravilo predsedstvo in ne zavezuje ne Sveta ne držav članic, ni bil dan ustno v času za vprašanja, odmerjenem Svetu na delnem zasedanju Evropskega parlamenta aprila 2008 v Strasbourgu.

Svet se zahvaljuje poslanki, ki je izrazila zanimanje za to pomembno vprašanje. Zmanjšanje bremena raka je prednostna naloga slovenskega predsedstva na področju javnega zdravja. Za izvajanje te prednostne naloge je predsedstvo organiziralo konferenco z naslovom "Kako zmanjšati breme raka?", ki je potekala 7. in 8. februarja 2008 na Brdu pri Kranju v Sloveniji, in namerava predstaviti osnutek sklepov Sveta o raku, ki jih bo Svet sprejel 10. junija 2008.

Predsedstvo bo predlagalo Svetu, da pozove Komisijo, naj v skladu s temeljnimi načeli in strateškimi cilji bele knjige "Skupaj za zdravje: strateški pristop EU za obdobje 2008–2013"<sup>12</sup> predstavi akcijski načrt EU o raku, ki bi moral obravnavati vse vidike celovitega nadzora nad rakom, vključno s preprečevanjem bolezni, zgodnjim odkrivanjem, diagnostiko, zdravljenjem, rehabilitacijo in paliativno nego, pri tem pa zavzeti multidisciplinarni pristop.

Evropska skupnost in države članice si nenehno prizadevajo za preprečevanje in nadzor raka na osnovi dokazov, in sicer preko pobud in ukrepov na področjih spodbujanja zdravja in preprečevanja bolezni, ki pozitivno vplivajo na zdrav način življenja, npr. nadzor nad tobakom, zdrava prehrana in telesna dejavnost ter zmanjševanje škodljivega in nevarnega uživanja alkohola; zgodnja diagnoza z uporabo screeninga; zmanjševanje izpostavljenosti fizičnim, kemičnim in biološkim karcinogenom na delovnem mestu in v okolju; ter varnost hrane, da se zmanjša nevarnost rakotvornosti na minimum.

Preprečevanje ostaja najučinkovitejša dolgoročna strategija za zmanjševanje vedno večjega bremena raka. Dosleden pristop k spodbujanju zdravja in primarno preprečevanje z uporabo ustreznih ukrepov na različnih področjih zakonodaje in v raznih sektorjih bi imel pozitiven učinek na preprečevanje raka.

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**Zapytanie nr 41 skierowane przez Ryszard Czarnecki (H-0259/08)**

Przedmiot: Represje dziennikarzy i niezależnych mediów na Białorusi

Jak Rada może zareagować na represje dziennikarzy i niezależnych mediów na Białorusi?

*Odgovor*

Odgovor, ki ga je pripravilo predsedstvo in ne zavezuje ne Sveta ne držav članic, ni bil dan ustno v času za vprašanja, odmerjenem Svetu na delnem zasedanju Evropskega parlamenta aprila 2008 v Strasbourgu.

Svet je močno zaskrbljen pozorno spremljal dogodke 27. marca, ko je beloruska policija preiskala prostore radia Radio Racyja, Evropskega radia za Belorusijo in televizijske postaje Belsat TV ter pridržala in zaslišala več neodvisnih novinarjev in novinarjev tiskovne agencije Belapan. Predsedstvo je 28. marca dalo izjavo v imenu Evropske unije, v kateri

<sup>12</sup> COM(2007) 630 konč.

izraža veliko razočaranje nad nedavnimi dogodki v Belorusiji in ugotavlja, da je bila še posebej skrb vzbujajoča racija po vsej državi, ki se je začela 27. marca in v kateri so bili zajeti domači novinarji, povezani s tujimi mediji.

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#### **Anfrage Nr. 42 von Hans-Peter Martin (H-0261/08)**

Betrifft: Rahmenbedingungen für die Regulierungsagenturen

Die Europäische Kommission legte im Jahr 2005 einen Entwurf für eine Interinstitutionelle Vereinbarung für die europäischen Regulierungsagenturen vor. Laut Mitteilung der Kommission vom 11.3.2008 KOM(2008)0135 wurde dieser Vorschlag nun zurückgezogen. Als Begründung wurde unter anderem in der Mitteilung angegeben, dass die Verhandlungen über den Entwurf „im Laufe des Jahres 2006 zum Erliegen“ gekommen sind, „da der Rat nicht bereit war, sich mit dieser Frage zu befassen, und Zweifel an der Zweckmäßigkeit einer interinstitutionellen Vereinbarung aufgeworfen wurden.“

Mit welcher Begründung lehnte der Rat die Verhandlungen über die Interinstitutionelle Vereinbarung ab?

Wie beurteilt der Rat den Inhalt der Mitteilung der Kommission vom 11.3.2008?

Was müsste nach Ansicht des Rates geschehen, um eine für alle drei Organe tragfähige Lösung betreffend die Rahmenbedingungen für die Regulierungsagenturen noch in diesem Jahr zu erzielen?

#### *Odgovor*

Odgovor, ki ga je pripravilo predsedstvo in ne zavezuje ne Sveta ne držav članic, ni bil dan ustno v času za vprašanja, odmerjenem Svetu na delnem zasedanju Evropskega parlamenta aprila 2008 v Strasbourgu.

Svet je leta 2005 začel preučevati osnutek medinstitucionalnega sporazuma o evropskih regulativnih agencijah<sup>13</sup>, ki ga je pripravila Komisija, razprave pa so se zaključile aprila 2007. Evropski parlament je bil s pismom z dne 22. junija 2007, naslovljenim na predsednika Evropskega parlamenta, v celoti obveščen o rezultatih razprav v Svetu.

Kot je povzeto v tem pismu, se je Svet dogovoril o tem, da bi moralo ustanavljanje regulativnih agencij slediti načelom, kot so dobro upravljanje, boljši predpisi, odgovornost, preglednost, stroškovna učinkovitost, ocenjevanje agencij na podlagi analize stroškov in koristi ter ocene vplivov. Kljub temu Svet ni v zadostni meri podprl predloga o sprejetju pravno zavezujočega instrumenta oziroma o medinstitucionalnem sporazumu o vzpostavitvi horizontalnega okvira za regulativne agencije.

Svet je tem pismu še izjavil, da je s Parlamentom in Komisijo pripravljen preučiti težave, povezane z ustanavljanjem in delovanjem regulativnih agencij, in sicer ne le od primera do primera in v skladu z ustrezno pravno podlago, marveč tudi z drugimi obstoječimi instrumenti (npr. proračunskim postopkom) in v skladu s sklepi Sveta.

V zvezi z drugim vprašanjem poslanca pa bo Svet pravočasno preučil sporočilo Komisije "Evropske agencije – smernice za prihodnost"<sup>14</sup> z dne 11. marca 2008.

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#### **Ερώτηση αρ. 43 του κ. Γεωργίου Τούσσα (H-0263/08)**

Θέμα: "Αντιπυραυλική ασπίδα" των ΗΠΑ στο έδαφος της Πολωνίας και της Τσεχίας

Η πρόσφατη Σύνοδος Κορυφής του NATO, στις 4.4.2008, αποφάσισε την εγκατάσταση του συστήματος «αντιπυραυλικής ασπίδας» των ΗΠΑ, στο έδαφος της Πολωνίας και της Τσεχίας και την επέκτασή του με τη συμμετοχή και άλλων κρατών μελών της ΕΕ. Η τυχοδιωκτική αυτή ενέργεια ΗΠΑ-NATO ανοίγει νέα κούρσα εξοπλισμών, οξύνει τους ιμπεριαλιστικούς ανταγωνισμούς και αντιπαραθέσεις στην περιοχή και εγκυμονεί μεγάλους κινδύνους για τους λαούς ολόκληρης της Ευρώπης με απρόβλεπτες συνέπειες.

<sup>13</sup> Osnutek medinstitucionalnega sporazuma o vzpostavitvi horizontalnega okvira za ustanavljanje, strukturo, delovanje, vrednotenje in nadzor evropskih regulativnih agencij (COM(2005) 59 končno - 7032/05).

<sup>14</sup> COM (2008) 135 konč.

Τα επιθετικά αυτά σχέδια έχουν συναντήσει την μαζική αντίδραση του πολωνικού και τσέχικου λαού και την αποφασιστική καταδίκη του ευρωπαϊκού και διεθνούς αντιιμπεριαλιστικού και φιλειρηνικού κινήματος.

Καταδικάζει το Συμβούλιο την απόφαση των ΝΑΤΟ-ΗΠΑ, για την υλοποίηση του άκρως επικίνδυνου αυτού σχεδίου, παρά την αντίδραση και τις κινητοποιήσεις του πολωνικού, του τσέχικου και γενικά των ευρωπαϊκών λαών στο σύνολό τους;

*Odgovor*

Odgovor, ki ga je pripravilo predsedstvo in ne zavezuje ne Sveta ne držav članic, ni bil dan ustno v času za vprašanja, odmerjenem Svetu na delnem zasedanju Evropskega parlamenta aprila 2008 v Strasbourgu.

Razprava o protiraketni obrambi je dosedaj potekala na treh ravneh, in sicer na: (i) dvostranskih pogovorih med ZDA in zadevnimi državami (Poljsko in Češko republiko), (ii) dvostranskih pogovorih med ZDA in Rusijo ter (iii) v okviru razprav v Natu (vključno z razpravami v Svetu Nato–Rusija). Nato je še vedno temelj kolektivne obrambe njegovih članic, zato je bil do zdaj najpomembnejši forum razprave o načrtih ZDA v zvezi s protiraketno obrambo v Evropi.

Kar zadeva Evropsko unijo, vprašanje sodi v pristojnost držav članic.

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**Ερώτηση αρ. 44 του κ. Αθανασίου Παφίλη (H-0265/08)**

Θέμα: Απαράδεκτη απαγόρευση της Κομμουνιστικής Νεολαίας της Τσεχίας (KSM)

Η απόφαση της κυβέρνησης της Τσεχίας, τον Οκτώβριο του 2006, να απαγορεύσει τη λειτουργία της Κομμουνιστικής Ένωσης Νεολαίας Τσεχίας (KSM) και η πρόσφατη επικύρωση της απόφασης αυτής από τις δικαστικές αρχές της χώρας, παραβιάζει κατάφωρα τα θεμελιώδη δικαιώματα της ελεύθερης έκφρασης και διακίνησης των ιδεών, καθώς και της ελεύθερης σύστασης πολιτικών οργανισμών. Απαράδεκτο και επικίνδυνο είναι το επιχείρημα στο οποίο στηρίζεται η απαγόρευση αυτή, ότι η ΚΕΝ Τσεχίας «τάσσεται υπέρ της κοινωνικοποίησης των μέσων παραγωγής», γεγονός που αποδεικνύει ότι η απαράδεκτη αυτή απόφαση εντάσσεται στη γενικότερη αντικομμουνιστική εκστρατεία που βρίσκεται σε εξέλιξη στην Ε.Ε., με στόχο την δίωξη και την ποινικοποίηση της κομμουνιστικής ιδεολογίας και της αντιιμπεριαλιστικής δράσης.

Καταδικάζει το Συμβούλιο τις πολιτικές διώξεις, απαγορεύσεις και την ποινικοποίηση της πολιτικής δράσης σε βάρος της ΚΕΝ Τσεχίας, οι οποίες πραγματοποιήθηκαν μάλιστα σε μία περίοδο έντονης λαϊκής κινητοποίησης και αντίδρασης στην εγκατάσταση αμερικανικού αντιπυραυλικού συστήματος στην Ευρώπη;

*Odgovor*

Odgovor, ki ga je pripravilo predsedstvo in ne zavezuje ne Sveta ne držav članic, ni bil dan ustno v času za vprašanja, odmerjenem Svetu na delnem zasedanju Evropskega parlamenta aprila 2008 v Strasbourgu.

Vprašanje, ki ga je postavil poslanec Athanasios Pafilis spada v nacionalno pristojnost vsake države članice in Svet o njem ne more izraziti stališča.

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**QUESTIONS A LA COMMISSION****QUESTIONS TO THE COMMISSION****Question no 51 by Sarah Ludford (H-0190/08)**

Subject: Employment equality

What view has the Commission reached on whether the UK Employment Equality (Sexual Orientation) Regulations have correctly implemented Directive 2000/78/EC<sup>15</sup>, including as regards the exemptions for religious bodies, the adequacy of protection for heterosexual people who claim discrimination based on 'gay behaviour', and the application of a 'causality test' of the relationship between the alleged discrimination and the person's sexual orientation?

*Answer*

The Commission is currently analysing the transposition of Directive 2000/78/EC<sup>16</sup> by the United Kingdom. The United Kingdom has transposed this Directive in particular through the Employment Equality (Sexual Orientation) Regulations 2003. While it is still too early to give a definitive assessment of the conformity of those Regulations with Directive 2000/78/EC, the Commission would like to comment on the points raised in the question.

Under Article 4(1) of Directive 2000/78/EC, it is possible to justify a difference in treatment if a particular characteristic is a genuine, determining occupational requirement. This possibility exists only in relation to the nature of the particular occupational activity concerned.

Under the Employment Equality (Sexual Orientation) Regulations 2003, the Commission notes that an employer can apply a requirement relating to sexual orientation in respect of employment for an organised religion if the aim is to comply with the doctrines of the religion or, in order to avoid a conflict, with the strongly held religious convictions of a significant number of the religion's followers. The Commission considers that such provisions could be held to be compatible with the Directive, provided that there exists a genuine, determining occupational requirement which fulfils a legitimate objective and which is applied in a proportionate manner.

As regards the protection of heterosexual persons against discrimination, it should be noted that the ban on discrimination based on sexual orientation applies in a similar manner to homosexual and heterosexual persons. A heterosexual person would therefore be protected against potential discrimination in the same way as a homosexual person.

The "causality test" in cases of discrimination is laid down in Article 2 of the Directive, which defines discrimination. Direct discrimination based on sexual orientation occurs where a person is treated less favourably than another person in a comparable situation because of his or her sexual orientation. Indirect discrimination occurs where a neutral rule or practice has a disproportionate impact on persons of a given sexual orientation, unless the objective pursued is legitimate and is applied in a proportionate manner. It should also be noted that Article 10 of the Directive allows the burden of proof to be reversed where the person claiming to be the victim of discrimination can establish a presumption of discrimination: in that case, it is for the respondent to prove that there has been no discrimination.

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**Question no 52 by Martin Callanan (H-0197/08)**

Subject: Employment, social affairs and equal opportunities

Will the Charter of Fundamental Rights, as interpreted in the Lisbon Treaty, be applicable and binding upon UK law, specifically employment law?

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<sup>15</sup> OJ L 303, 2.12.2000, p. 16.

<sup>16</sup> JO L 303, 2.12.2000.

*Answer*

Article 6 of the Treaty on the European Union, as amended by the Treaty of Lisbon signed in Lisbon on 13 December 2007, provides that the Charter of Fundamental Rights of the European Union of 7 December 2000, as solemnly proclaimed in Strasbourg on 12 December 2007, has the same legal value as the Treaties.

In accordance with Article 51(1) of the Charter, the latter is applicable to the institutions, bodies, offices and agencies of the Union, and it is applicable to the Member States only when they are implementing Union law.

Protocol No 7 of the EU Treaty, as amended by the Treaty of Lisbon, clarifies the application of the Charter in relation to the laws and administrative action of Poland and of the United Kingdom and its justiciability within these Member States.

It states, in particular, that the Charter does not extend the ability of the EU Court of Justice, or any court or tribunal of Poland or of the United Kingdom, to find that the laws, regulations or administrative provisions, practices or action of these Member States are inconsistent with the fundamental rights, freedoms and principles that it reaffirms. It adds, furthermore, that nothing in Title IV (on solidarity, including a number of fundamental social rights of workers) of the Charter creates justiciable rights applicable to Poland or the United Kingdom except in so far as Poland or the United Kingdom has provided for such rights in its national law.

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**Question no 53 by Nirj Deva (H-0199/08)**

Subject: Employment

What are the legal definitions and legal effects of the terms 'proper social protection' and 'lasting high employment' contained within the Lisbon Treaty?

*Réponse*

Les termes de "protection sociale adéquate" et de "niveau d'emploi élevé et durable" correspondent à des objectifs à atteindre dans le cadre de la politique sociale actuelle puisqu'ils sont mentionnés à l'article 136 de l'actuel traité CE (TCE). Le traité de Lisbonne a confirmé ces objectifs puisque l'article 136 TCE n'est pas modifié. Par ailleurs, la Commission note que l'article 2 du Traité UE a été modifié par le traité de Lisbonne qui remplace l'expression "L'Union se donne pour objectifs de promouvoir le progrès économique et social ainsi qu'un niveau d'emploi élevé" par "L'Union [...] œuvre pour le développement durable de l'Europe fondé sur [...] une économie sociale de marché hautement compétitive qui tend au plein emploi."

La Commission souhaite informer l'honorable parlementaire que ces objectifs n'ont, jusqu'à présent, pas fait l'objet d'une définition juridique de la part des institutions communautaires.

En vue de réaliser ces objectifs, parmi d'autres, la Communauté soutient et complète l'action des Etats membres dans un grand nombre de domaines énumérés à l'article 137 TCE tels que la sécurité sociale et la protection sociale ainsi que plusieurs formes de protection des travailleurs.

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**Fråga nr 54 från Nils Lundgren (H-0201/08)**

Angående: Lissabonfördraget

Innebär artiklarna 145-148 i Lissabonfördraget enligt kommissionens uppfattning att EU-institutionerna kan anta rättsligt bindande regler inom ramen för sysselsättningspolitiken? Vilka delar av den nationellt fastställda sysselsättningspolitiken omfattas inte av EU:s bestämmelser och av EG-domstolens befogenheter? Uppstår det verkningar av formuleringarna i artikel 151 såsom "harmonisering samtidigt som förbättringarna bibehålls", "ett fullgott socialt skydd" och "en varaktigt hög sysselsättning"? Hur definierar kommissionen begreppet "en varaktigt hög sysselsättning"?

*Réponse*

Les articles 145 à 148 auxquels se réfère l'honorable parlementaire seront, suite à la ratification du traité de Lisbonne, les articles concernant la politique de l'emploi qui sera l'une des politiques à développer dans le cadre du traité sur le fonctionnement de l'Union européenne. Ces articles sont, en fait, les articles 125 à 128 de l'actuel traité CE (TCE) et ils n'ont pas été modifiés par le traité de Lisbonne. Dès lors, les institutions européennes ne pourront pas, comme à l'heure actuelle, adopter des mesures contraignantes en matière d'emploi. Ainsi, la coopération européenne en matière d'emploi résulte de la Stratégie européenne sur l'emploi qui s'appuie sur la méthode ouverte de coordination. Cette méthode implique que le Conseil et la Commission se mettent d'accord sur des lignes directrices et des objectifs communs et sur la possibilité d'adopter des recommandations spécifiques.

La Commission informe l'Honorable Parlementaire que l'article 151 du Traité de Lisbonne reprend exactement le contenu de l'actuel article 136 TCE, ainsi que ses objectifs. La concrétisation de ces objectifs impliquera, comme à l'heure actuelle, que l'Union soutienne et complète l'action des Etats membres dans un grand nombre de domaines énumérés à l'article 137 TCE, tels que la sécurité sociale et la protection sociale ainsi que plusieurs formes de protection des travailleurs.

La Commission souligne toutefois qu'il n'y a pas de définition juridique d'un "niveau d'emploi élevé et durable" ni de la part des institutions communautaires, ni de la part de la Cour de Justice des Communautés européennes.

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#### **Anfrage Nr. 55 von Bernd Posselt (H-0206/08)**

Betrifft: Erziehungsgehalt und Demografie

Hat sich die Kommission inzwischen, wie in einer früheren Antwort zugesagt, mit den Auswirkungen eines Erziehungsgehalts auf die demografische Entwicklung der Länder, in denen es existiert (z.B. Norwegen), befasst, und hat die Kommission mit entsprechenden NRO Kontakt aufgenommen?

#### *Answer*

The Commission notes that demographers tend to be very cautious when it comes to attributing demographic phenomena, such as a change in the number of births, to any specific social policy measure. The relatively high birth rates in Norway are likely to result from a range of different socio-economic and cultural factors. While the Commission has not carried out evaluations of specific measures, it has concluded, on the basis of a wide range of available evidence, that family support which promotes better reconciliation of work, private and family life is most likely to reduce the gap between the desired and the actual number of children people have.

The Norwegian parental benefit scheme promotes reconciliation of work and family life by offering a high level of benefits (80% to 100% of previous earnings up to a limit of around € 50 000 per annum) for a short period of 44 or 54 weeks (the longer period only at the lower rate of 80% of previous earnings). Six weeks of the paid parental leave are reserved for the father and cannot be taken by the mother. Thus the scheme encourages a rapid return to the labour market and, notably by offering a full replacement of lost earnings up to a high ceiling, creates the conditions for fathers with higher earnings than their partners to take parental leave<sup>17</sup>.

In order to support Member States wishing to modernise their family policies, and especially to improving the work-life balance, the Commission has taken a series of initiatives with a strong focus on reconciliation and close links with the Lisbon strategy and gender-equality policy, including the following:

In May 2007 the Commission published a Communication "Promoting inter-generational solidarity"<sup>18</sup> which includes an overview of family support policies in the EU and responds to the European Council's call for a European Alliance for Families, a European platform for the exchange of information, good practice and research results in the area of family policies;

The Commission has launched a consultation of the European social partners in accordance with Article 138(3) of the EC Treaty on the subject of reconciliation of private, family and work life, including the possible revision of Directive 96/34/EC<sup>19</sup> on parental leave. The consultation procedure has advanced to the second stage and, depending on the final

<sup>17</sup> For further details on this parental leave scheme as well as schemes in other European countries: see MISSOC (comparative tables on social protection) at [http://ec.europa.eu/employment\\_social/spsi/missoc\\_en.htm](http://ec.europa.eu/employment_social/spsi/missoc_en.htm)

<sup>18</sup> COM(2007) 244.

<sup>19</sup> Council Directive 96/34/EC of 3 June 1996 on the framework agreement on parental leave concluded by UNICE, CEEP and the ETUC, OJ L 145, 19.6.1996.

outcome, the Commission may decide to put forward proposals to supplement existing legislation in the area of reconciliation;

In June 2007, the Commission set up a new government-expert group on demographic issues comprising representatives of all 27 Member States. In 2008, the expert group decided to focus on the evaluation of family policies and policies in the field of active ageing;

Various projects funded under the EU framework research programmes and studies on family-related topics will increase knowledge of demography and family policies. The Commission is also supporting the OECD in order to speed up the development of its new family indicators database;

The Commission will continue the series of biennial demography forums and reports. The next demography forum is scheduled to take place in Brussels on 24 and 25 November 2008 and the second demography report is to be published in time for the forum. Both the forum and the report will give attention to reconciliation policies.

The Commission is in contact with a wide range of non-governmental organisations (NGOs) on family related issues. In particular, meetings and seminars, to which NGO representatives are invited, have been held in connection with the meetings of the government expert group on demographic issues. One of these seminars, which took place in November 2007, focused on child care and a further seminar on family policies is envisaged for June 2008. Furthermore, the web portal of the European Alliance for Families will provide a forum for contacts and exchange of information between relevant organisations.

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#### **Question no 56 by Glenis Willmott (H-0209/08)**

Subject: Third-party violence (from members of the public)

A recent study from the UK's Union of Shop, Distributive and Allied Workers (USDAW) on shopworkers' experience of work-related violence and abuse shockingly details the awful abuse, threats, harassment and violence meted out by the very customers they seek to serve<sup>20</sup>.

In addition to this, the British Crime Survey has shown that over a 12-month period there were approximately 339 000 threats of violence and 317 000 physical assaults by members of the public on British workers.

As the European Parliament's rapporteur on the recently adopted Health and Safety at Work Strategy (P6\_TA(2008)0009), I have raised this issue with numerous groups. I am aware that the European framework agreement on harassment and violence at work, signed on 26 April 2007, refers to violence from third parties such as clients, customers, patients and pupils. However, this issue is not included in its provisions.

Is the Commission actively supporting the conclusion of a multi-sector agreement on this issue and is the Commission prepared to come forward with proposals should such an agreement not be attainable?

#### *Réponse*

Suite à la consultation lancée par la Commission en 2005 au titre de l'article 138 du Traité CE, les partenaires sociaux ont conclu le 26 avril 2007 un accord autonome sur le harcèlement et la violence au travail. La Commission invite l'honorable parlementaire à se référer à la réponse donnée à la question écrite E-1130/08 de M. De Rossa qui décrit l'objectif ainsi que le contenu de cet accord.

En particulier, l'accord reconnaît, dans son introduction, toutes les formes possibles de harcèlement et de violence qui peuvent survenir sur les lieux de travail. Les violences exercées par les "parties tiers", tels que les clients, patients, élèves, etc., sont explicitement mentionnées et couvertes par l'accord, mais ne font pas l'objet de dispositions spécifiques.

La Commission partage les préoccupations de l'honorable parlementaire quant au besoin de tenir compte de toute forme de violence au travail, y compris la violence émanant des tiers. Cette forme de violence nécessite souvent d'autres réponses qui peuvent dépasser le cadre de l'entreprise. A la demande de plusieurs organisations de partenaires sociaux appartenant à certains secteurs affectés par la problématique de la violence au travail émanant de tiers – tels que la sécurité privée, les autorités locales, les hôpitaux et le commerce – la Commission a organisé un séminaire multisectoriel sur la violence des

<sup>20</sup> [http://www.usdaw.org.uk/getactive/resource\\_library/files/RLFFrontlinesurvey/Lifeonthefrontlinesurvey.pdf](http://www.usdaw.org.uk/getactive/resource_library/files/RLFFrontlinesurvey/Lifeonthefrontlinesurvey.pdf)



"parties tiers" le 14 mars 2008 à Bruxelles . Les partenaires sociaux de ces secteurs ont conjointement exprimé leur intention d'examiner les possibilités de compléter l'accord interprofessionnel d'un point de vue plus spécifique, sectoriel et/ou plurisectoriel. Le séminaire constitue la première étape de cette démarche qui pourrait conduire à l'ouverture de négociations plurisectorielles.

La Commission considère que l'accord autonome sur le harcèlement et la violence au travail contient des éléments très positifs pour la prévention de toute forme de violence et de harcèlement au travail et qu'il serait approprié d'attendre les résultats de sa mise en œuvre concrète ainsi que d'éventuels prolongements sectoriels avant d'évaluer le besoin d'autres initiatives au niveau communautaire dans ce domaine.

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#### **Question no 57 by Stephen Hughes (H-0217/08)**

Subject: Crystalline silica

Crystalline silica is a basic component of soil, sand, granite, and many other minerals. Quartz is the most common form of crystalline silica. It causes silicosis, a slow, progressive, disabling disease. It also causes lung cancer and there is evidence that it causes chronic obstructive pulmonary disease.

The WHO already classifies crystalline silica as a class 1 carcinogen to which 3.2 million workers are exposed for over 75% of their working time. In addition to this, 2.7% of deaths from lung/bronchial cancers are due to crystalline silica (source: European Agency for Occupational Safety and Health).

I would like to see crystalline silica included in a revised carcinogens directive and for the SCOEL (Scientific Committee on Occupational Exposure Limits) to set a binding exposure limit as soon as possible.

Does the Commission share my wish? If so, can it set out a timeframe for this to be achieved? If not can it set out how it intends to ensure that the 3.2 million workers referred to above can be adequately protected?

#### *Answer*

The main effect in humans of inhaling silica dust is silicosis. Epidemiological studies reveal, in addition, an association between exposure to crystalline silica dust and an increased probability of developing lung cancer. As a result, crystalline silica has been classified by the International Agency for Research on Cancer, which is part of the World Health Organisation, as a group 1 carcinogen to humans. The EU has not yet classified crystalline silica as a carcinogenic substance.

There is sufficient scientific information to conclude that the relative lung cancer risk is increased in persons with silicosis, but not, apparently, in employees exposed to silica dust in quarries or in the ceramic industry but without silicosis. The first step to reducing the cancer risks is therefore to prevent silicosis. The full implementation and enforcement of the prevention strategy laid down in Directive 98/24/EC<sup>21</sup> will be effective in preventing the onset of silicosis, it will also reduce the cancer risk, and it will ensure that the 3.2 million workers exposed to crystalline silica are protected.

The Scientific Committee on Occupational Exposure Limits has discussed respirable crystalline silica extensively and has issued a Recommendation to the Commission<sup>22</sup>. It concludes that, although a clear threshold for silicosis development cannot be identified, the occupational exposure limit should lie below 0.05 mg/m<sup>3</sup> of respirable silica dust.

The Commission agrees that workers exposed to respirable crystalline silica should be adequately protected. It will evaluate the effects of the practical implementation of Directive 98/24/EC in terms of reducing exposure levels to crystalline silica dust and, in particular, the results achieved as a result of the implementation of the multi-sectorial social dialogue agreement on "Workers health protection through good handling and use of crystalline silica and products containing it"<sup>23</sup>. If this proves necessary, the Commission will not hesitate to present further initiatives, including for setting a binding exposure limit, to strengthen the protection of workers from the risks of exposure to respirable crystalline silica.

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<sup>21</sup> Council Directive 98/24/EC of 7 April 1998 on the protection of the health and safety of workers from the risks related to chemical agents at work (fourteenth individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC) (OJ L 131, 5.5.1998, p. 11).

<sup>22</sup> SCOEL/SUM/94 final.

<sup>23</sup> OJ C 279, 17.11.2006, p. 2.

**Ερώτηση αρ. 58 του κ. Σταύρου Αρναουτάκη (H-0225/08)**

Θέμα: Μέτρα για την αποτελεσματική αντιμετώπιση της φτώχειας των εργαζομένων (working poor) στην Ευρώπη

Έχοντας υπόψη την "Κοινή έκθεση για την κοινωνική προστασία και την κοινωνική ένταξη 2008" (7274/08 SOC 151) του Συμβουλίου της Ευρωπαϊκής Ένωσης, 8% των πολιτών της ΕΕ παρά το γεγονός ότι εργάζονται απειλούνται από την φτώχεια. Το γεγονός αυτό καταδεικνύει ότι η απασχόληση δεν συνιστά πάντα εγγύηση για την αποφυγή της φτώχειας, αλλά και του κοινωνικού αποκλεισμού. Με δεδομένο ότι η προσπάθειές μας σήμερα βάσει της Στρατηγικής της Λισαβόνας επικεντρώνονται στην ανάπτυξη και την απασχόληση, ποιά μέτρα σκοπεύει να λάβει η Επιτροπή για την αποτελεσματική αντιμετώπιση του φαινομένου αυτού της φτώχειας (work poverty) που αγγίζει ένα σημαντικό ποσοστό των εργαζομένων; Ποιά είναι αντίστοιχα ποσοστά των εργαζόμενων φτωχών (working poor) ανά κράτος μέλος;

*Answer*

Efforts at EU level to combat poverty and social exclusion mainly take place under the Open Method of Coordination. Each year the Joint Report on social protection and social inclusion informs the Spring European Council of developments in the fight against poverty and exclusion<sup>24</sup>. The Council has just adopted the 2008 Joint Report.

The analysis in that Joint Report shows that there are worrying indications of persistent joblessness in households in the EU: approximately 10% of children and the same percentage of adults aged 18-59 (excluding students) live in households where no one works. This rate has not improved over the last six years. Another significant factor is "in-work poverty": 8% of the working-age population fall into this category, and one poor person in four is in employment (Eurostat data, 2005 income year).

Improving the situation of people on the margins of the labour market, including the working poor, by addressing their specific needs is therefore a key challenge for Europe. Periods of economic growth that stimulate job creation provide in principle an opportunity for many people on the outer edges of the labour market to find a (better) job. But the right conditions have to be in place to ensure they can actually make use of those opportunities.

The Lisbon Strategy, underpinned by the Integrated Guidelines for Growth and Jobs (and in particular Guideline 19), provides a framework for the Member States to develop employment policies specifically addressing the needs of people on the fringes of the labour market. In 2006 the Commission conducted a public consultation on the scope for European action on active inclusion and minimum income. The concept of active inclusion is based on three policy pillars: a link to the labour market through job opportunities or vocational training; income support at a level that is sufficient to live in dignity; and better access to basic services.

On the basis of an analysis of replies to the consultation<sup>25</sup>, the Commission decided to launch the second-stage consultation in which it announced its intention of issuing a recommendation on common principles for implementing the active inclusion approach.

The in-work poverty rate ranges from 3% to 14% across the EU. It is:

- 3% in the Czech Republic;
- 4% in Finland and Belgium;
- 5% in Sweden, Denmark, Germany, Slovenia and Malta;
- 6% in France, Ireland and the Netherlands;
- 7% in Cyprus, Estonia and Austria;
- 8% in the United Kingdom;
- 9% in Slovakia, Latvia, Luxemburg and Italy;
- 10% in Hungary, Lithuania and Spain;
- 13% in Greece;
- 14% in Portugal and Poland.

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<sup>24</sup> The objectives of the Open Method of Coordination, the national reports and the Joint Reports to date are available at: [http://ec.europa.eu/employment\\_social/social\\_inclusion](http://ec.europa.eu/employment_social/social_inclusion)

<sup>25</sup> At: [http://ec.europa.eu/employment\\_social/social\\_inclusion/active\\_inclusion\\_en.htm](http://ec.europa.eu/employment_social/social_inclusion/active_inclusion_en.htm)

**Klausimas Nr. 59, pateikė Justas Vincas Paleckis (H-0228/08)**

Tema: Dėl ES "sveikatos turizmo"

2006 metais Europos Sąjungoje buvo svarstomas populiariai vadinamas ES „sveikatos turizmo“ klausimas. Buvo diskutuojama, kaip užtikrinti, kad savo valstybėje reikiamo gydymo negaunantis ES pilietis galėtų gydytis kitoje ES šalyje. Siūloma, kad tokiu atveju gydymo išlaidos būtų apmokėtos iš valstybės narės, kurios pilietis yra pacientas, sveikatos apsaugos sektoriaus lėšų. Deja, 2007 metų gruodžio mėnesį ES „sveikatos turizmo“ plano tvirtinimas buvo atidėtas neapibrėžtam laikui.

Kokių priemonių imasi EK, siekdama pagreitinti ES „sveikatos turizmo“ plano svarstymą ir aiškios gydymosi svečioje šalyje tvarkos nustatymą, atsižvelgiant į su Šengeno erdvės plėtra susijusiu didėjančiu keliaujančių asmenų srautu?

*Réponse*

La question soulevée par l'honorable parlementaire concerne les soins de santé transfrontaliers. En ce qui concerne la prise en charge de soins de santé dans un autre Etat membre, en vertu du droit communautaire, les patients peuvent déjà bénéficier d'un remboursement pour des soins dispensés dans un autre Etat membre.

Au titre du Règlement 1408/71 sur la coordination des régimes de sécurité sociale, l'assuré fait jouer son assurance maladie et bénéficie de la prise en charge au tarif de l'Etat où les soins sont reçus avec, le cas échéant, un complément différentiel dans l'hypothèse où le tarif de remboursement de ces soins est plus avantageux dans son Etat membre d'affiliation que dans l'Etat membre de traitement. La nationalité de la personne n'intervient pas. Cette voie couvre les soins nécessaires au cours d'un séjour grâce à la carte européenne d'assurance maladie et les soins non urgents pour lesquels le patient a obtenu des autorités compétentes, l'autorisation de bénéficier d'un traitement dans un autre Etat membre. La Cour a clarifié les conditions dans lesquelles une telle autorisation ne peut être refusée. Ces règles sont expliquées dans toutes les langues officielles sur le site internet de la Commission.

La Cour européenne de Justice a jugé que les patients peuvent, en application des principes de libre circulation aux services de santé, obtenir le remboursement pour des soins de santé reçus dans un autre Etat membre. En ce qui concerne les soins non hospitaliers, les patients peuvent obtenir un tel remboursement, sans autorisation préalable. Dans ce cas, le remboursement s'effectue selon le tarif de l'Etat d'affiliation du patient. En ce qui concerne les soins hospitaliers, la Cour a admis que les Etats membres peuvent maintenir une autorisation préalable dans un objectif de santé publique, afin d'assurer la planification de ces services sur le territoire national. Dans ce cas, la Cour a indiqué que toute autorisation accordée en vertu du Règlement 1408/71/CEE pour des soins dans un autre Etat membre entraînerait l'application des mécanismes de coordination du Règlement 1408/71/CEE.

Les droits mis en évidence par les arrêts rendus par la Cour dans les différentes affaires sont clairs mais nécessitent d'être mieux connus par les patients. Il convient, ainsi que l'a confirmé la consultation publique organisée par la Commission en 2006, de clarifier la situation concernant les mécanismes garantissant les droits en matière de remboursement des soins de santé dispensés dans un autre Etat membre, et l'efficacité et la sécurité des soins de santé transfrontaliers.

En vue d'atteindre ces objectifs, une proposition de directive relative à l'application des droits des patients en matière de soins de santé transfrontaliers sera soumise à la Commission pour adoption en juin 2008.

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**Ερώτηση αρ. 60 της κ. Ρόδης Κράτσα-Τσαγκαροπούλου (H-0239/08)**

Θέμα: Μεταρρύθμιση των ασφαλιστικών συστημάτων στην Ευρώπη

Στην Ελλάδα πρόσφατα υπερψηφίστηκε το νομοσχέδιο για τη μεταρρύθμιση του ασφαλιστικού συστήματος. Με την αφορμή αυτή αλλά και παρόμοιες μεταρρυθμίσεις σε άλλα κράτη μέλη, έχει συγκεντρώσει η Επιτροπή σχετικά στοιχεία και μελέτες; Τι αποτελέσματα είχε η μέχρι τώρα εφαρμογή τους και σε ποια συμπεράσματα έχει καταλήξει η Επιτροπή που θα ήταν χρήσιμα για τις υπόλοιπες χώρες όπου δρομολογούνται τέτοιες εξελίξεις; Έχει σκοπό να αναδείξει τις βέλτιστες πρακτικές που έχουν ήδη αποκρυσταλλωθεί από την εμπειρία των μεταρρυθμίσεων αυτών; Ποια είναι η άποψή της για την αύξηση των ορίων ηλικίας συνταξιοδότησης ανδρών και γυναικών; Πώς κρίνει την κατεύθυνση και τις επιλογές της πρόσφατης ασφαλιστικής μεταρρύθμισης στην Ελλάδα; Ποια πρόσθετα μέτρα κοινωνικής πολιτικής, ιδίως για τη συμφιλώση οικογενειακής και επαγγελματικής ζωής, θεωρεί αναγκαία για την επιτυχία των μεταρρυθμίσεων αυτών;

*Answer*

The Commission invites the Honourable Member to refer to the answer given to the question H-0160/08 by Ms Panayotopoulos-Cassiotou.

As regards the question of gender differences, the Commission has not received notification of the draft law reforming the Greek social security system and cannot therefore provide any assessment of the retirement ages or of the issue of reconciling work and family life.

However, an infringement procedure against Greece is ongoing, and the matter of the difference in retirement ages for men and women in the public sector was referred to the European Court of Justice by the Commission on 27 June 2007.

As regards the last point in the question, it appears from the Commission's assessment in the annual implementation report that Greece has taken action to promote female employability and reconcile work and family life, including targeted training and counselling actions; nevertheless, the situation for elderly females remains difficult, and indicates a need to refocus attention. Furthermore, employment and unemployment gender gaps remain significant, highlighting the need to keep up efforts.

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**Question no 61 by Richard Howitt (H-0240/08)**

Subject: The UN Convention on the Rights of Persons with Disabilities

When does the European Commission expect to publish its proposal on a decision to accede to the UN Convention on the Rights of Persons with Disabilities?

What consultation has the European Commission had or will it undertake with disabled people and with the organisations representing disabled people, including the European Disability Forum, prior to publishing its proposal?

Can the European Commission confirm that it will recommend the signing up to, and the ratification of, the Optional Protocol to the UN Convention on the Rights of Persons with Disabilities?

Can the European Commission confirm that it has undertaken a screening exercise, or will do so, in relation to current EU legislation in order to identify where changes are needed in order to comply with the UN Convention and the timescale in which it expects to complete this task?

What arrangements does the Commission anticipate with regard to the monitoring of compliance with the Convention by the European Union itself?

*Answer*

The Commission is currently drafting a proposal for a Council Decision concerning the conclusion, by the European Community, of the United Nations (UN) Convention on the Rights of Persons with Disabilities and its Optional Protocol. The Commission is expected to adopt the proposal in May 2008.

The Commission regularly consults the Member States and the organisations representing disabled people, including the European Disability Forum, through the High-Level Group on Disability. At its last meeting, for instance, replies to an extensive questionnaire on progress in ratification/conclusion and implementation of the UN Convention were dealt with. Such consultations will continue.

On 27 February 2007 the Commission presented a proposal for a Council Decision on the signing, on behalf of the European Community, of the UN Convention on the Rights of Persons with Disabilities and its Optional Protocol (COM(2007)77). The Council adopted a Decision dated 20 March 2007 authorising the Community to sign the UN Convention on the Rights of Persons with Disabilities and issued a declaration on the Optional Protocol (Annex II to the Decision) to the effect that the Council would reconsider as soon as possible the question of the signing by the European Community of the Optional Protocol to the UN Convention on the Rights of Persons with Disabilities. The Commission considers that the Council is now in a position to take a final decision on how to proceed with the Optional Protocol.

As required by Article 44(1) of the UN Convention and Article 12 of the Optional Protocol, at the time of formal confirmation the European Community has to declare the extent of its competence regarding matters governed by the Convention. The extensive screening Community legislation has been carried out in the meantime.

The UN Convention on the Rights of Persons with Disabilities contains provisions that fall within both the Community sphere of competence and that of the Member States. The Community and the Member States should jointly define the precise mechanisms for monitoring compliance with the Convention in areas of shared competence. The nature of those mechanisms will be set out in the Commission proposal for a Council Decision concerning the conclusion of the Convention.

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**Zapytanie nr 69 skierowane przez Zdzisław Kazimierz Chmielewski (H-0244/08)**

Przedmiot: Nielegalne, nieraportowane i nieregularne połowy ryb

Wyrażam przekonanie, że trwające aktualnie prace nad sporządzeniem racjonalnych podstaw legislacyjnych służących wyeliminowaniu (ograniczeniu) nielegalnych, nieraportowanych i nieregulowanych połowów ryb, każą wszystkim zainteresowanym włączyć się do tych działań. Szczególne kontrowersje wśród rybaków wywołuje najnowsza propozycja Komisji Europejskiej w sprawie ujednoczenia wysokości kar związanych z IUU.

Czy nie należałoby rozpatrzyć ewentualne dostosowanie systemu kar do możliwości połowowych "oskarżonej" jednostki? Z tym, bowiem wiąże się (co oczywiste) poziom dochodu dysponenta jednostki.

*Answer*

The Commission is convinced that it is necessary to harmonise administrative sanctions in order to effectively fight Illegal, unreported and unregulated (IUU) fishing.

The Proposal aims (i) to strengthen the ability of Member States to ensure that, in a single market, operators do not take advantage of different sanction systems at national level to the detriment of the common policy and (ii) to take provisional action to prevent the continuation of the IUU activity identified.

It is up to each Member State to ensure that Community law is properly enforced and Member States may regulate their own sanctions' system in the manner they consider most appropriate as long as the sanctions have a deterrent effect in accordance with the Proposal.

The IUU proposal will harmonise the levels of administrative sanctions to be applied by Member States in case of a serious infringement by operators carrying out IUU fishing activities.

The Commission believes that levels of sanctions must be harmonised in order to ensure that any economic advantage will be more than offset by the sanctions imposed. Operators will only stop carrying out IUU fishing once the administrative sanctions reach a level that is no longer regarded as part of normal operating costs.

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**Question no 74 by Colm Burke (H-0168/08)**

Subject: Food traceability

Food traceability is a cornerstone of the EU's food safety policy, and consumers in the EU expect clear information.

It has come to my attention that, in my own Member State, there are cases where food products are marketed in a way which gives a misleading impression as to the source of the raw material.

Can the Commission comment on whether it is aware of such concerns, and whether any action can be expected on enhancing food traceability?

*Answer*

Food traceability and food information are distinct instruments with different objectives.

As far as traceability is concerned, it is a risk management tool to be used in order to assist in containing a food safety problem, by allowing the control authorities to trace back a food that has been deemed unsafe in the food chain. Food information intended for consumers is designed so as to enable the purchaser to make an informed choice and not to be misled as regard the characteristics of the food.

Therefore, where the origin, provenance or source of a food is indicated on its label, it is not in the context of traceability. The EU labelling legislation states that such information is mandatory only in cases where its omission could mislead the purchaser.

The recently adopted Commission proposal for a Regulation on food information to consumers lays down specific conditions to be fulfilled where such information is provided, in order to ensure that consumers cannot be misled. This proposal is currently being examined by the Parliament and Council.

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**Question no 75 by Mairead McGuinness (H-0172/08)**

Subject: EU food production standards

The EU prides itself on the value it places on food safety issues and on offering consumers a fully-traceable EU food production regime.

However, while this system prevails within the EU, there is a serious problem with the standards under which imported food products are produced – an issue which came to light in relation to the importation of Brazilian beef.

In addition, many of the practices that are to be prohibited in the EU, among them producing eggs from caged production systems by 2012, will continue to be permitted by the non-EU countries from which we import.

Can the Commission comment on this important issue and how it intends to address the inconsistency in policy and standards?

On the question of banning caged egg production systems, what action is the Commission planning to prevent the relocation of the intensive egg sector in the EU to outside its borders after 2012? In this likely scenario, caged production banned in the EU will move outside the EU, and we will in turn be importing large volumes of egg products (dried egg) for the food processing industry, which come from caged egg production systems, without consumers being any the wiser.

*Answer*

As regards animal welfare and trade issues, there are no binding multilateral agreements in force directly addressing this issue and animal welfare is in particular not explicitly addressed in the Sanitary and Phyto-Sanitary agreement under the World Trade Organisation (WTO).

This is a major cause for concern for the Commission. As a consequence, the Commission developed in 2002 a specific strategy to address the competitiveness implications for EU producers resulting from animal welfare systems for caged birds. Several initiatives to promote animal welfare as a competitive advantage, as stated in the Action Plan for the Protection and Welfare of Animals 2006-2010, have already been undertaken.

Bilateral agreements with Chile and Canada already include a chapter on animal welfare. Furthermore, a co-operation agreement with New Zealand was signed in 2007. An increasing number of trading partners are today monitoring the developments with interest and are evaluating possibilities on how to co-operate with the EU on this issue that is of growing importance especially in developed countries.

A Eurobarometer survey of 2006 stated that 89% of the consumers think that imports should be produced under the same animal welfare conditions as those originating from the EU. Therefore the Commission is presently evaluating the options for an animal welfare labelling system and intends to submit a report to the European Parliament and the Council in 2009. Such a system should be WTO compatible and would allow EU producers to highlight the high animal welfare standards

in the Community to consumers, who in turn are increasingly insisting on such higher standards in their purchasing decisions.

The ban of the "unenriched cages" systems was adopted by Council in 1999<sup>26</sup>, prohibiting new installations from 2003 and giving more than 10 years to the European poultry sector to convert into alternative systems. Already some EU producers have moved to alternative systems<sup>27</sup> of production. The Commission considers that it is up to each producer to make its own choice in this regard and for the Member States to enforce the Directive.

Information available shows that consumers are increasingly concerned by the ethical and sustainable aspects of food production in Europe, including for food processed products, although they are in general unaware on current farming standard and actual requirements. The Commission will continue to study the best possible options so as to support producers that are meeting those expectations.

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**Question no 76 by Gay Mitchell (H-0174/08)**

Subject: Mental health and suicide prevention

Will the Commission comment on what it plans to achieve at the high-level conference on mental health in June 2008. At this stage can the Commission give an outline of plans it has in mind to complement Member States' policies regarding mental health and in particular suicide. The rates of suicide are at an alarming rate: in Ireland suicide is one of the most common causes of death amongst men under the age of 35.

*Answer*

The high-level conference on mental health on 13 June 2008 will highlight that mental well-being in the population supports public health in the EU. It also contributes to successful learning and working, and to social cohesion.

However, mental disorders belong to the most prevalent and serious illnesses in Europe. In extreme cases, they can lead to suicide.

In recent years, suicide levels declined slightly from 11.9 cases per 100 000 of population in 2000 to 10.6 cases in 2006.

But the situation remains unsatisfactory, given that the EU seeks to ensure a high level of human health protection in its Community policies and activities:

- suicide still causes more deaths in the EU than road traffic accidents;
- enlargement increased the inequalities between Member States. In several of them, suicide rates belong to the highest in the world.

The June 2006 European Council confirmed the need for action: it made "Improving mental health and tackling suicide risks" an objective of the Renewed EU-sustainable development strategy.

The high level conference will therefore invite Governments to engage in an exchange to identify how they can most effectively reduce levels of suicide, and depression, which is one of the key risk factors. The purpose is the adoption of a Mental Health Pact which could serve as the basis for future actions in the promotion of good mental health, the prevention of mental ill health in young people, the elderly and minorities as well as the fight against social exclusion and discrimination against people in mental ill health.

Partners in the health sector, regions and communities, in schools and at workplaces will be invited to join the efforts.

As an outcome, a thematic conference could in a next step establish commonly endorsed principles and an action plan to prevent suicide and depression.

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<sup>26</sup> Council Directive 1999/74/EC laying down minimum standards for the protection of laying hens (OJ L 203, 3.8.1999).

<sup>27</sup> According to recent studies of DG for Agriculture, in 2006, the following percentage of egg production were under alternative systems in the following Member States: Germany 32.4%, Netherlands 52.6%, UK 36.2%, Ireland 34.1%, France 18.8% and Italy 12%

**Question no 77 by Syed Kamall (H-0204/08)**

Subject: Health in the Lisbon Treaty

Pursuant to the references to health in the Lisbon Treaty, will the Commission or Member State governments draw up a systematic list of various sectors of the health field and state for each one the extent of the EU's competence, including whether it is covered by the Treaty and subject to review by the Court of Justice?

*Answer*

The Treaty of Lisbon confirms the growth of interest in health matters in today's world. It maintains the current competences in health and does not extend the legislative powers of the EU, while reinforcing the scope for supporting action for public health at EU level.

The Commission would like to highlight just a few novelties that the Lisbon Treaty will bring for EU citizens in the area of health:

- The "well-being" of the peoples of the EU is added as an overall aim of the Union.
- The Charter of Fundamental Rights gets a binding legal force, including the right to health care.
- A strengthened basis is introduced for incentive measures concerning monitoring, early warning of and combating serious cross border threats to health, including measures on tobacco and the abuse of alcohol.

It is the Commission's intention to continue developing the EU health policy taking into account the novelties of Lisbon Treaty. The new Health Strategy for 2008-2013 outlines the areas and provides for a methodology where the Commission sees the need for EU wide action to provide health gains.

The text of the Health Strategy can be found on the website of the Directorate General for Health and Consumer Protection at the following address:

[http://ec.europa.eu/health/ph\\_overview/strategy/health\\_strategy\\_en.htm](http://ec.europa.eu/health/ph_overview/strategy/health_strategy_en.htm)

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**Question no 78 by Linda McAvan (H-0208/08)**

Subject: Transportation of horses for slaughter

There have been reports of horses being transported for slaughter in very poor conditions across Europe; being kept in crowded conditions for long hours.

What is the Commission doing to ensure that all Member States implement Regulation (EC) No 1/2005<sup>28</sup> on the protection of animals during transport and related operations? Also, when is the Commission planning to come out with proposals to address the issues of journey times and stocking densities?

*Answer*

The Commission is aware of the reports from animal welfare organisations about the problems for the horses transported for slaughter.

The correct implementation of the Regulation on the protection of animals during transport is a top priority for the Commission.

Member States have the primary responsibility to give effect to EU legislation in this respect.

Since the entry into force of Regulation (EC) No 1/2005, Commission's experts have performed missions in Member States to verify that the competent authorities have put in place the appropriate measures to apply the EU legislation.

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<sup>28</sup> OJ L 3, 5.1.2005, p. 1.



In particular, specific missions on the transport of horses were conducted in 2007 in Romania, Poland, Lithuania and Italy where significant trade of horses takes place and follow-up missions are foreseen for 2008.

The Commission has also initiated actions against the Member States which failed to implement measures to enforce EU rules.

Furthermore, several new instruments to improve enforcement have been introduced by the new Regulation in 2007 such as the use of navigation system for long journeys.

This tool will improve controls and make targeted actions possible. For that purpose, the Commission has presented to the Standing Committee on Food Chain and Animal Health a draft Regulation setting out harmonised standards for navigation systems in December 2007. The Commission expects the standards to be adopted before summer 2008.

The Commission is preparing an impact assessment in order to examine the possibility of bringing forward by the end of this mandate a proposal on travelling times and space allowances which takes into account available scientific knowledge.

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#### **Întrebarea nr. 79 a doamnei Silvia-Adriana Țicău (H-0254/08)**

Subiect: Efectuarea de studii epidemiologice privind radiațiile produse de stațiile de telefonie mobilă

Dezvoltarea și utilizarea pe scară largă a telefoniei mobile a determinat creșterea numărului de stații de bază, unele fiind amplasate în vecinătatea locuințelor. În multe dintre statele membre se manifestă o mare preocupare privind expunerea la radiațiile produse de stațiile de telefonie mobilă, care, conform unor studii, ar putea fi dăunătoare sănătății. Studiile epidemiologice periodice ar contribui semnificativ la eliminarea temerilor unei părți a populației, legate de impactul antenelor GSM asupra stării de sănătate a oamenilor, și la adoptarea unor reglementări care să conducă la reducerea acestui impact. Doresc să întreb Comisia dacă nu are în vedere realizarea unui astfel de studiu.

#### *Answer*

The Commission is well aware of concerns of the public about exposure to electromagnetic fields (EMF) from mobile telephony, in particular base stations ("masts"). However, it is scientifically generally accepted that most of the exposure of the public from mobile telephony comes from the use of the handsets and not from the base stations.

The Commission has already supported research on EMF from mobile telephony under the Framework Programmes for Research. It is continuing to do so. One epidemiological study worth mentioning is the INTERPHONE project, due to produce its final results within a few months.

In the absence of EU competence to legislate on the matter, the Council adopted in 1999 Recommendation 1999/519/EC on the limitation of exposure of the general public to electromagnetic fields (0-300 GHz), based on the best science available. Since then, the Commission has been monitoring its implementation regularly and has consulted several times its Scientific Committees to see whether it should be adapted in view of new scientific developments.

In 2007, the Scientific Committee on Emerging and Newly Identified Health Risks (SCENIHR) has confirmed that for Radio Frequency (RF) fields, so far no health effect has been consistently demonstrated at exposure levels below the limits established by the International Commission on Non-Ionizing Radiation Protection (ICNIRP) and proposed in the Council Recommendation.

In addition, the Commission is funding through the Sixth Framework Programme a high-level experts group under the project EMF-NET. This group has evaluated all evidence known up to 2006 on potential health risks related to masts. Its main conclusion is that 'the balance of evidence indicates that there is no general risk to health due to radiofrequency and microwave exposure (that is the working frequencies of the radio masts)'.

In order to strengthen future opinions, the SCENIHR has recommended the following research for the RF frequency range:

- A long term prospective cohort study to overcome limitations found in existing epidemiological studies;
- A specific study on the health effects of RF exposure in children;
- A study of the exposure distribution in the population now made possible through the advent of personal dosimeters;

- The replication of several experimental studies using high-quality dosimetry.

The Commission is continuing to promote research in this area. The most recent call for proposals under the Environment theme of the 7<sup>th</sup> Framework Programme for Research contains a topic on health impacts of RF exposure in children and adolescents.

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**Zapytanie nr 80 skierowane przez Ryszard Czarnecki (H-0260/08)**

Przedmiot: Choroba wściekłych krów

W związku ze śmiercią 2 osób w Hiszpanii na chorobę wściekłych krów, jak Komisja ocenia, czy możliwe jest rozprzestrzenianie się ognisk tej choroby w samej Hiszpanii i w innych krajach członkowskich Unii? Jakie działania podejmie Komisja?

*Answer*

The Commission shares the concern of the Honourable Member regarding the two fatal cases of variant Creutzfeldt-Jakob disease identified in Spain.

While these cases are tragic and unfortunate, there is currently no need to take extra risk management measures above those which are already in place and are very strict.

With regard to Bovine Spongiform Encephalopathy, a decrease in positive cases has been detected in Spain and there are no elements which indicate that the situation is not under control.

Provisions of the current EU legislation have been followed, and the two cases were promptly communicated to the Early Warning and Response Authorities in the Member States, and to the Commission.

The Commission continues to monitor the epidemiological trends of variant Creutzfeldt-Jakob disease (CJD) through the EURO-CJD project, funded under the EU Public Health Programme, in collaboration with the European Centre for Disease Prevention and Control.

As of April 2008, a total number of 201 variant Creutzfeldt-Jakob disease cases have been reported by 7 Member States.

Since the beginning of the epidemic, the United Kingdom has reported 166 cases, including the 3 cases acquired by blood transfusion; France 23; Ireland 4; Italy 1; The Netherlands 2; Portugal 2 and Spain 3. The time-trends confirm that the number of cases has been declining since 1999.

Three cases of variant Creutzfeldt-Jakob disease have been associated to blood transfusion. This link has been excluded in these two Spanish cases. Nonetheless, the blood issue must remain a concern for the future.

The two Directives on Blood and Tissues and Cells require the exclusion from donation of any person who could be a potential vector of transmission of the variant Creutzfeldt-Jakob disease.

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**Ερώτηση αρ. 81 του κ. Γεωργίου Παπαστάμκου (H-0156/08)**

Θέμα: Ευρωπαϊκή νομοθεσία καλλυντικών και προστασία της δημοσίας υγείας

Ποιοι λόγοι οδηγούν στις συχνές τροποποιήσεις της ευρωπαϊκής νομοθεσίας περί καλλυντικών; Πόσες τροποποιήσεις έχουν συντελεσθεί μέχρι τώρα; Αντανακλά το ευρωπαϊκό ρυθμιστικό πλαίσιο σαφήνεια και ασφάλεια δικαίου; Ποιες προδιαγραφές επιβάλλει η ευρωπαϊκή κοινοτική νομοθεσία με όρους ασφάλειας της παραγωγής καλλυντικών και προστασίας της υγείας;

*Answer*

Two kinds of modification of the Cosmetics Directive should be distinguished. Amendments to the corpus of the Cosmetics Directive, which aims at modifying or introducing new Articles into the Directive and adaptations of the Annexes of the Directive, which are based on technical progress and new scientific knowledge. At the beginning of 2008, the Cosmetics Directive, adopted in 1976, had already been amended seven times and adapted forty eight times. The frequent adaptations result from management decisions to amend the annexes in order to implement opinions from the Scientific Committee on Consumer Products.

The Cosmetics Directive is based on the principle that the person responsible for placing the cosmetic product on the Community market is liable for the product's safety. To this end, this person must keep available to the competent authorities, by means of a "product information file", information demonstrating the safety of the product. In particular, the assessment of the safety for human health of the finished product, taking into consideration the general toxicological profile of the ingredients, their chemical structure and their level of exposure must be available within this "product information file", which is checked on an ad hoc basis by the competent authorities.

The principle of manufacturer responsibility is supplemented by detailed regulation of selected individual cosmetic ingredients. Indeed, the Cosmetics Directive sets out a list of substances which cannot be included in the composition of cosmetic products (Annex II) and a list of substances which cosmetic products may not contain, outside the restrictions and conditions laid down (Annex III). The Directive also contains "positive lists" for colorants (Annex IV), preservatives (Annex VI) and UV filters (Annex VII). Concerning these groups of ingredients, only the substances listed in the respective annex are allowed for use in cosmetics in the EU. Adaptations of these annexes require the prior consultation of the Scientific Committee on Consumer Products to ensure that the regulation takes into account the present state of scientific knowledge.

The modifications over a span of more than 30 years have led to inconsistent terminology and rules appearing in the wrong context. This was aggravated by the fact that the Cosmetics Directive does not contain lists of definitions and has never been codified (i.e. all the amendments have never been formally incorporated into a single legal text). Clarification was required in particular as to the notion of "person responsible for placing the cosmetic product on the market". Lastly, the need of more coherent terms in the annexes, which is by and large a scientific and technical exercise, was stressed by stakeholders.

For these reasons and with the objective to significantly simplify the Community's cosmetics legislation, the Commission adopted on 5 February 2008 a proposal for a recast of the Regulation on cosmetic products. In addition, the proposal adapts the legislation in view of innovation and developments in order to ensure the safety of cosmetics products. The impact assessment report accompanying this proposal contains more detailed explanations of the current system and the background for the recast<sup>29</sup>.

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**Ερώτηση αρ. 82 του κ. Εμμανουήλ Αγγελάκα (H-0158/08)**

Θέμα: Μη συνταγογραφούμενα φάρμακα (over the counter) και ευρωπαϊκή πολιτική φαρμάκου

Το καθεστώς των Μη Συνταγογραφούμενων Φαρμάκων (ΜΗΣΥΦΑ/Over-the-Counter) ποικίλλει ανάμεσα στα κράτη μέλη της ΕΕ. Τα κριτήρια κατάταξης διαφόρων φαρμακευτικών προϊόντων στην κατηγορία αυτή διαφέρουν, με αποτέλεσμα να μην υπάρχει ένα ενιαίο σύστημα χαρακτηρισμού των φαρμάκων ως ΜΗΣΥΦΑ.

Τα ΜΗΣΥΦΑ χρησιμοποιούνται από μεγάλο αριθμό ευρωπαίων πολιτών, επιτρέπεται η διαφήμισή τους στο γραπτό και ηλεκτρονικό τύπο και συμβάλλουν στην περιστολή των φαρμακευτικών δαπανών, αφού δεν υπάρχει αποζημίωση για αυτά από τα κοινωνικοασφαλιστικά συστήματα.

Πραγματοποιείται κάποια μελέτη για το θέμα της κατάρτισης ενός ενιαίου καταλόγου ΜΗΣΥΦΑ, με ισχύ σε όλα τα κράτη μέλη, ώστε να αποφεύγεται η σύγχυση που προκαλείται στους πολίτες από την ύπαρξη πληθώρας καταλόγων ΜΗΣΥΦΑ;

Υπάρχει στις προθέσεις της Επιτροπής η σκέψη μιας ευρωπαϊκής ενημερωτικής εκστρατείας, σχετικά με την ορθή χρήση των ΜΗΣΥΦΑ, δεδομένου ότι σε πολλά κράτη μέλη τα εν λόγω προϊόντα διατίθενται και σε σημεία εκτός φαρμακείου, χωρίς την παροχή υπεύθυνης πληροφόρησης από το φαρμακοποιό για τη σωστή χρήση τους, με αποτέλεσμα να τίθεται σε πιθανό κίνδυνο η υγεία τους;

<sup>29</sup> SEC(2008)117

*Answer*

The criteria for classification of medicinal products as prescription or as non-prescription are harmonised in Community legislation. Directive 2001/83/EC specifies the situations in which medicinal products shall be subject to medical prescription. In this regard it is foreseen that a medicinal product shall be subject to medical prescription if, when utilised without medical supervision, it is frequently and to a very wide extent used incorrectly, or if, even when used correctly, it is likely to present a direct or indirect danger to human health. The directive also allows for the possibility, at Member State level, to provide for certain sub-categories of medicinal products subject to special medical prescription.

For medicinal products authorised by the Commission, the supply status is determined in the authorisation and applies throughout the Union. For nationally authorised medicinal products, it is up to the competent authorities of each Member State to classify medicinal products when granting a marketing authorisation according to the existing criteria of Community law. Decisions on prescription status can vary from one Member State to another. The Commission's proposal to harmonise the supply status of nationally authorised medicines was not retained by the legislator during the last revision of the Directive 2001/83/EC.

As only national authorities have comprehensive knowledge about the medicinal products authorised in the respective Member States, the Commission does not possess the necessary information to draw up a single harmonised list of over-the-counter medicines. However, according to Article 55 of Regulation (EC) No 726/2004 the European Medicines Agency is building up a database on medicinal products which is accessible to the general public<sup>30</sup>. As foreseen in the Regulation, priority is given to medicinal products authorised by the Community, but the database shall subsequently be extended to include all medicinal products placed on the market within the Community.

The retail distribution of medicinal products is not regulated by Community law. It is up to each Member State to decide where non-prescription medicinal products are available which has led to different retail systems as the Honourable Member rightly observes. The Community law provides however for obligatory package leaflets for every medicinal product in order to ensure full information of the patient irrespective of the retail system. The package leaflet has to reflect the results of consultations with target patient groups to ensure that it is legible, clear and easy to use. In addition, for non-prescription medicinal products, instructions for use have to appear also on the labelling. The Commission considers this framework to function effectively so that a campaign at European level does not seem appropriate. If the Honourable Member possesses more detailed information, the Commission would be happy to look into this in order to see together with the Member States whether further action is needed.

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**Fråga nr 83 från Hélène Goudin (H-0162/08)**

Angående: Lissabonfördraget

Det står i artikel 1.24 beträffande kapitel 1, artikel 10a.2 (Principer och mål) att unionen skall ”d) främja en hållbar ekonomisk, social och miljömässig utveckling i utvecklingsländerna med det primära syftet att utrota fattigdomen”.

Anser kommissionen att denna formulering har någon betydelse för lagligheten i fråga om åtgärder mot import från utvecklingsländerna, ojämlika partnerskapsavtal med utvecklingsländerna (EPA-avtal) och EU:s fiskeriavtal med utvecklingsländer?

*Answer*

Whereas paragraph 2 of Article 10A of the Treaty on European Union refers to the objectives, which include for the first time the eradication of poverty as a primary aim, paragraph 3 specifies that these objectives shall be pursued in the implementation of the different areas of the Union's external action and that the Union shall ensure consistency between the different areas of its external action and between these and its other policies. Thereby the Treaty of Lisbon gives, if and when ratified, a solid legal base to Policy Coherence for Development (PCD), a principle that is already a legal obligation under the current Treaty Establishing the European Community (Title XX on development cooperation).

The EU through its concept of Policy Coherence for Development aims to build synergies between the relevant internal and external policies and the development objectives. In 2005 the EU took PCD commitments in 12 policy areas<sup>31</sup>. These

<sup>30</sup> [http://eudrapharm.eu/eudrapharm/selectLanguage.do?NOCOOKIE=NOCOOKIE&NEW\\_SESSION=true](http://eudrapharm.eu/eudrapharm/selectLanguage.do?NOCOOKIE=NOCOOKIE&NEW_SESSION=true).

<sup>31</sup> May 2005 General Affairs and External Relations Council (GAERC) Conclusions on the Millennium Development Goals (Doc.9266/05)

commitments were confirmed at the highest political level in the European Consensus on Development<sup>32</sup>. The EU has been paying considerable attention to increasing the coherence of its policies with development objectives including in the fisheries and trade sector.

With its trade policy the EU has established a market access regime which is quite favourable for developing countries. The average Most-Favoured Nation (MFN) import duty rate is 6.9% overall (4% for non-agriculture products and 18.6% for agriculture products)<sup>33</sup>. In the context of the EU Generalised System of Preferences (GSP) exports from Developing Countries (DCs) enjoy a 0% duty rate or receive a 3,5 percentage points discount on this rate (see section on GSP below). Goods from Least-Developed Countries (LDCs) and the great majority of ACP Countries enjoy quota- and tariff-free access to the EU market under the 'Everything But Arms Initiative' (EBA), or under interim and full Economic Partnership Agreements (EPAs) that also improve rules of origin.

However, to facilitate developing countries' closer integration into the world economy, it is important not only to reduce market access barriers, but also address a range of other factors, including those relating to individual DCs' own competitiveness and supply side capacity.

EU trade policy is multi-dimensional – multilateral, regional/bilateral and autonomous. Under each of these dimensions, it includes elements that respond to the particular needs of DCs and support their further development and beneficial integration into the global trading system, including through achieving an improved performance on the EU market.

The EU is also very actively engaged in the provision of Aid for Trade to DCs to support them in tackling the challenges of integration both at the regional and global level. In this context, regional integration is one important way to improve the position of DCs and their ability to compete in international markets, by creating larger regional markets and improving the general business environment.

The Economic Partnership Agreements (EPAs) that are being negotiated with the ACP countries are conceived as long-term partnerships based on a comprehensive approach to development. They are a tool to support regional integration and sustainable development and will therefore contribute to enhanced policy coherence. The full regional agreements to be negotiated on the basis of the interim agreements will accommodate the specific interests and situations of the regions. The comprehensive EPA concluded with the Caribbean is the example of a balanced and development-friendly agreement. Its trade provisions fully exploit, for the benefit of Caribbean countries, the asymmetry and flexibility offered by international trade law. More importantly, these provisions are embedded in a broader development framework that includes strong social and environmental chapters and detailed provisions on development cooperation.

Since the 2002 reform of the Fisheries Policy, the EU has undertaken to replace all existing fisheries agreements with a new generation of Fisheries Partnership Agreements by 2008. The objective of this new generation of agreements is no longer to just secure access for the European fleet, but also to support the partner country's fisheries policy with a view to introducing responsible and sustainable fishing. A percentage of the financial contribution attached to the agreements is set aside for this purpose.

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**Question no 84 by Jim Higgins (H-0170/08)**

Subject: Healthy eating in schools

Could the Commission indicate what programmes it supports that promote the provision of healthy food in schools, at both primary and secondary level?

*Answer*

Over recent months various stakeholders and the media have put particular focus on healthy eating in schools. The Commission is pleased to take this opportunity to inform the Honourable Member about the current Community programme being applied in the educational establishments, and possible future programmes.

The school milk scheme:

<sup>32</sup> Joint Statement by the Council and the representatives of the governments of the Member States meeting within the Council, the European Parliament and the European Commission – 'The European Consensus on Development', December 2005 (OJ 2006/C46/01)

<sup>33</sup> WTO European Communities Trade Policy Review 2007.

The school milk scheme aims to provide healthy dairy products to pupils in kindergartens and primary schools (also in secondary schools if the Member State chooses) at a reduced price compared with normal commercial prices. The reduction is obtained through a subsidy granted by the Community. In 2007, the subsidy was increased to €18.15 /100 kg of milk, irrespective of its fat content.

The school milk scheme has an important role to play given its social and health-oriented character. By providing quality products containing important vitamins and minerals the scheme encourages a healthy way of eating while ensuring a proper nutritional education and establishing a positive long-term impact on consumption of agricultural products.

The Commission is aware that in order to increase the success rate of the school milk scheme, the implementing provisions should be as simple as possible.

Currently, the Commission's services are reviewing the school milk scheme in view of simplifying its management and enlarging the list of beneficiaries and eligible products. The proposed changes in the system will soon be presented in the Management Committee concerned with a view, once adopted, to apply them from the beginning of the new school year.

The possible school fruit scheme:

When approving the Common Market Organisation for Fruit and Vegetables reform, the Council issued the following declaration: "In light of the dramatic increase in obesity amongst schoolchildren, which has been highlighted in the recently published Commission White Paper, the Council invites the Commission to come forward with a proposal for a school fruit scheme as soon as possible based on an impact assessment of the benefits, practicability and administrative costs involved."

In keeping with the Commission's commitment to better legislation, the presentation of a 'School Fruit Scheme' proposal will be conditional on the conclusions of an Impact Assessment demonstrating its value added at European level and analysing the advantages and drawbacks of different options. To help bring together the range of expertise necessary for this assessment and to facilitate the preparation of the proposal, this work has been entrusted an Inter-Service Group (ISG) made up of representatives of the Commission.

So far, the ISG has elaborated four options for a European "School Fruit Scheme", which have been submitted to a public consultation from 18 December 2007 to 29 February 2008. The Commission now continues to work on the Impact Assessment report, which will include and integrate the results of the public consultation. A proposal is scheduled for adoption by the Commission in July 2008.

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#### **Question no 85 by Liam Aylward (H-0181/08)**

Subject: 12-day derogation period for coach tour operators in Europe

The removal of the 12-day derogation period for the international coach sector in Europe in April 2006 created a major crisis for the coach tourism market in Europe.

Since then, coach tour operators have reported a dramatic 20-25% increase in costs resulting from this lost derogation as well as bringing negative consequences for the welfare of drivers.

When does the Commission intend to reintroduce this 12-day derogation period for the coach sector operating within the European Union, in accordance with the provisions of Regulation (EC) No 561/2006<sup>34</sup>?

#### *Answer*

The new rules under Regulation (EC) No 561/2006<sup>35</sup> on social legislation relating to road transport, which were agreed by Parliament and Council following conciliation, are meant to ensure a level playing field, enhance road safety, improve working conditions for drivers and make more effective and uniform checks possible throughout the Community. The removal of the 12-days exemption for coach tour operators has to be seen in this general context.

<sup>34</sup> OJ L 102, 11.4.2006, p. 1.

<sup>35</sup> Regulation (EC) No 561/2006 of the European Parliament and of the Council of 15 March 2006 on the harmonisation of certain social legislation relating to road transport and amending Council Regulations (EEC) No 3821/85 and (EC) No 2135/98 and repealing Council Regulation (EEC) No 3820/85 (Text with EEA relevance) – Declaration, OJ L 102, 11.4.2006.

This being said, the Commission monitors the road passenger transport market, including the impact of Regulation (EC) No 561/2006 on road safety, the coach tourism business, social conditions of drivers and other relevant developments through various sources of information, including reports from Member states, contacts with industry and workers representatives, and studies. In particular, the Commission has launched a study into occasional international transport, which will also address the impact of the removal of 12-day rule on the industry. The results of the study are expected to be available towards the end of 2008.

The Commission has taken note of the amendments introduced by the Committee on Transport and Tourism of the Parliament into the Ticău report on the Commission's proposal for a recast of the Directive on common rules concerning the conditions to be complied with to pursue the occupation of road transport services<sup>36</sup>. The Commission will continue to monitor the legislative process carefully as well as the social dialogue that has been launched on this issue.

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**Question no 86 by Christopher Heaton-Harris (H-0188/08)**

Subject: Equal opportunities

Does the Commission believe that European citizens have been denied equal opportunities regarding the Lisbon Treaty? Irish citizens will have the opportunity to vote in a referendum on the Treaty but this opportunity will not be equally available to the citizens of other Member States, such as the United Kingdom.

Does the Commission believe that citizens in other Member States should be granted the equal opportunity to exercise their democratic right to vote on the Treaty?

*Answer*

The Commission reminds the Honourable Member that in accordance with Article 48 of the Treaty on the European Union, ratification of the Lisbon Treaty is a matter for Member States, and has to be completed according to their own constitutional rules. The Commission has neither the power nor the intention to interfere in the choice of the ratification procedure and its subsequent developments in any of the Member States.

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**Question no 87 by Jens Holm (H-0193/08)**

Subject: Objectives and measures in the field of consumer protection

Regarding Article 169 of the Treaty of Lisbon on objectives and measures in the field of consumer protection, could the Commission clarify what a 'high level of consumer protection' actually means? Does it mean the highest level in a particular country, a level in the highest quartile or an above-average level, and should consumer protection be regarded as an overarching issue taking precedence over other provisions?

*Answer*

Article 169 of the Lisbon Treaty does not differ from Article 153 of the present EC Treaty.

Both Article 153 in the present EC Treaty and Article 169 in the Lisbon Treaty provide for a high level of consumer protection all over the EU.

The Commission's position on the meaning of "a high level of consumer protection" is detailed in the Consumer Policy Strategy 2007-2013 which it adopted on 13 March 2007<sup>37</sup>.

This makes clear that the level of consumer protection is not defined in a mechanistic way (quartiles, countries, averages) but in the light of what is appropriate to ensure a proper functioning of the Internal Market both for the consumers and businesses. Thus, the strategy's main objectives are:

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<sup>36</sup> COM(2007)0263

<sup>37</sup> COM (2007) 99 final

to empower EU consumers  
to enhance EU consumers' welfare in terms of price, choice, quality, diversity, affordability and safety.  
to protect consumers effectively from the serious risks and threats that they cannot tackle as individuals.

To achieve these objectives the strategy identifies five priorities:

better monitoring of consumer markets and national consumer policies  
better consumer protection regulation  
better enforcement and redress  
better informed and educated consumers  
putting consumers at the heart of other EU policies and regulation

In the framework of the Treaties consumer protection does not constitute an overarching issue which takes precedence on other issues. However, the consumer protection dimension must be properly integrated into all relevant Community policies and activities.

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### Spørgsmål nr. 88 af Jens-Peter Bonde (H-0195/08)

Om: Lissabontraktaten

Er der retsvirkninger af udtrykkene "så åbent som muligt" og "så tæt på borgerne som muligt"?

Er lukketheden på regeringskonferencen om Lissabontraktaten i strid med den tilsvarende bestemmelse i Nicetraktaten?

Er den politiske aftale mellem medlemslandene om at aflyse folkeafstemninger i strid med Nicetraktatens demokratinorm?

### Réponse

L'article 1<sup>er</sup> de l'actuel traité sur l'Union européenne énonce déjà que "les décisions sont prises dans le plus grand respect possible du principe d'ouverture et le plus près possible des citoyens". Les effets se traduisent de multiples manières : consultations des parties intéressées avant l'adoption des propositions de la Commission, évaluations ex ante d'impact des propositions, rôle du Parlement dans le processus décisionnel européen en tant que co-législateur, application du principe de subsidiarité, etc.

La révision des traités existants par le traité de Lisbonne s'est opérée conformément à la procédure prévue à cet effet à l'article 48 du traité sur l'Union européenne.

Les modalités de ratification dans les Etats membres relève de la compétence exclusive de ceux-ci, conformément au même article 48 du traité sur l'Union européenne.

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### Vraag nr. 89 van Koenraad Dillen (H-0207/08)

Betreft: Persvrijheid in Zuid-Afrika

In december 2007 lanceerde het ANC op zijn partijcongres een resolutie over de oprichting van een mediarechtbank. Dit zogenaamde Mediaberoepstribunaal wordt opgevat als een staatsinstelling die enkel verantwoording verschuldigd is aan het parlement.

Vele onafhankelijke journalisten vrezen dat deze instelling het systeem van zelfregulering, inherent aan de media, zal ondermijnen. Zelfregulering in de media is één van de belangrijkste criteria om uit te maken of een land écht democratisch is. Dit beginsel wordt ook ondersteund door de mensenrechtencommissie van de Organisatie voor Afrikaanse Eenheid. Kortom, in een land waar een staatsinstelling de controle heeft over wat journalisten schrijven is de persvrijheid in gevaar.

Hoe staat de Commissie tegenover dit voorstel? Zal de Commissie deze kwestie aankaarten en Zuid-Afrika dienaangaande wijzen op zijn verplichtingen inzake mensenrechten en democratische beginselen?



*Answer*

The Commission is actively following the issue of freedom of expression in South Africa and has some concerns over recent events such as the investigation concerning the Sunday Times editor Mr Makhanya, the case of blacklisting of certain journalists and political analysts by the South African Broadcasting Corporation, the proposed Film and Publications amendment and, more recently, the attempted take-over bid of media company Johncom by Koni Media Holdings.

The Commission is also aware of the resolution adopted at the 52<sup>nd</sup> National Conference of the African National Congress last December, and in particular of the recommendation "that the establishment of a Media Appeals Tribunal be investigated". Since this is a recommendation by the party to investigate the establishment, the Commission sees no reason to intervene at this stage.

On the whole, the Commission takes the view that the media situation in South Africa remains satisfactory. Print and broadcast media operate in a free environment and the judiciary actively defends the freedom of expression.

The Trade, Development and Cooperation Agreement between South Africa and the EU qualifies respect for democratic principles and fundamental human rights as an essential element of the Agreement (Article 2) and as a subject for political dialogue (Article 4). Political dialogue now takes place twice a year at ministerial or even at summit level. The Commission will not hesitate to bring the subject of freedom of expression to the table, whenever it feels this is required.

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**Question no 90 by David Martin (H-0211/08)**

Subject: Protected designation of origin (PDO)

According to Annex II of Council Regulation (EC) No 510/2006<sup>38</sup>, wool can be given PDO status. Can the Commission clarify whether a PDO could be granted for wool only in its natural form or could it equally apply to a processed or manufactured form of wool such as a textile garment? In addition, could the Commission confirm whether there are currently any wool products with PDO status or whether there have been any recent applications for PDO status for wool products?

*Answer*

As the Honourable Member mentions, wool is covered by Regulation (EC) No 510/2006 on geographical indications and designations of origin for agricultural products and foodstuffs.

The Commission would like to clarify that wool, in this context, covers only the natural fibre produced by sheep or lambs, and which is neither carded nor combed. This excludes processed or manufactured forms of wool, as well as textile garments.

No name of a wool product has so far been granted protection as protected design of origin or protected geographical indication, the reason being that until now, no application for registration has been submitted to the Commission.

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**Question no 91 by Ari Vatanen (H-0212/08)**

Subject: The Commission's suit against Finland (case C-10/08) on the basis of the discriminative effect of collecting so-called non-VAT, and infringement of the 6th VAT directive

The Commission has filed a suit against Finland (case C-10/08) on basis of the discriminative effect of collecting so-called non-VAT on the private import of cars, and the infringement of the 6th VAT directive (77/388/EEC<sup>39</sup>) due to deductibility of a non-VAT, which is a surcharge of car tax. Thousands of on-going disputes in the Finnish national courts depend on the outcome of the procedure the Commission has started in the ECJ. In this never-ending saga, the national courts have rejected taxpayers' claims similar to the Commission's claims, and refused to ask for a preliminary ruling of the ECJ. Now the Finnish Ministry of Finance has announced that it is considering negotiating with the Commission in order to find an

<sup>38</sup> OJ L 93, 31.3.2006, p. 12.

<sup>39</sup> OJ L 145, 13.6.1977, p. 1.

out-of-court settlement in the dispute. Apparently Finland is planning to apply for time-limitation of the effect of the ECJ's ruling and is thus trying flagrantly to ignore the approximately 18 000 cases pending in the national courts.

Regarding the situation in Finland – contrary to Sweden where EU laws are obeyed in this domain – and believing that free movement of goods is the core of the EU's raison d'être, I want to ask: how will the Commission make sure that equal treatment among EU citizens will prevail and how will it finally stop EU law from being arbitrarily applied to Finnish car buyers?

*Réponse*

En tant que gardienne des traités, la Commission veille à l'application correcte du droit communautaire et des principes généraux du Traité CE. Dans ce cadre, la Commission a ouvert une procédure d'infraction contre la Finlande concernant notamment la taxe "ELV", une taxe prélevée par la Finlande aux fins de compenser le fait qu'elle ne peut pas prélever de TVA sur les acquisitions intra-Communautaires par des non-assujettis de véhicules d'occasion ayant plus de six mois ou ayant parcouru au moins 6 000 kilomètres. Cette procédure se trouve actuellement devant la Cour de Justice et a reçu le numéro d'attribution C-10/08.

La Commission attend l'arrêt de la Cour.

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**Anfrage Nr. 92 von Michl Ebner (H-0214/08)**

Betrifft: Kormoranproblematik

Die ganzheitliche Betrachtung des Ökosystems ist eines der wichtigsten Grundprinzipien der Erhaltung von Natur und Umwelt sowie einer wettbewerbsfähigen Fischereipolitik. Gegenwärtig wird all dies von der Kormoranproblematik bedroht. Bei den Kormoranen handelt es sich um Wasservögel, die sich durch die strengen Schutzmassnahmen der EU in Mitteleuropa in wenigen Jahrzehnten ungewöhnlich massiv entwickeln. Seit 1970 haben die Bestände um das 75-fache zugenommen und richten somit großen Schaden an der Fischerei an. Der Fraßdruck auf bereits extrem gefährdete Fischarten und die Schäden in der europäischen Fischwirtschaft haben ein nicht mehr hinnehmbares Ausmaß erreicht.

Ist der Kommission dieser Sachverhalt bekannt? Welche Maßnahmen gedenkt sie, insbesondere im Hinblick auf Fischereibetriebe und Fischgewässer, dagegen zu ergreifen?

*Answer*

As with all wild bird species naturally occurring in the European territory of the Member States, the Cormorant, *Phalacrocorax carbo*, is covered by the general scheme of protection of Council Directive 79/409/EEC on the conservation of wild birds<sup>40</sup> and its deliberate capture and killing, disturbance, destruction of its nest or taking of its eggs can only be allowed by Member States in accordance with the derogation system of the directive.

The Commission is aware that there are conflicts between fisheries interests and Cormorants in certain parts of the Community and it has encouraged Member States to make full use of the derogations provisions of the Birds Directive, where this is justified in the absence of alternative solutions, in order to prevent serious damage to fisheries. This derogation system is being used in different Member States.

While there may well be situations where Cormorants present a serious risk to endangered species of fish, the derogation system is equally applicable in this context as there is an explicit provision in the Birds Directive for use of derogations 'for the protection of flora and fauna'.

It is for each Member State to take the measures it considers necessary to manage populations and any conflicts that arise in relation to fisheries interests. Nevertheless, the Commission encourage co-operation between Member States on this issue and has on a number of occasions initiated discussions on this subject with the committee for adaptation to technical and scientific progress, set up pursuant to Article 16 of the Directive (the so-called Ornis Committee).

The Community has also supported multinational cooperative research projects aimed at reducing the conflict between cormorants and fisheries on a pan-European scale. The completed REDCAFE<sup>41</sup> project highlights the dynamic and

<sup>40</sup> Council Directive 79/409/EC, OJ L 103, 25.4.1979, p.1

<sup>41</sup> REDCAFE ("Reducing the conflict between Cormorants and fisheries on a pan-European scale") <http://ec.europa.eu/research/quality-of->

complex nature of this issue not only from an ecological perspective but also within the social, cultural and economic perspectives. One of the conclusions of this project was that calls for a common standard 'solution' to Cormorant-fisheries 'problems' are perhaps premature and may well, ultimately, be inappropriate. The work started under REDCAFE is being further developed under a more recent project called INTERCAFE<sup>42</sup>. The Commission has encouraged anglers and fishermen to fully engage with the multidisciplinary forum so that their expertise, views and concerns are fully taken into account in the context of any scientific conclusions and recommendations that emerge from it.

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**Question no 93 by Daniel Dăianu (H-0216/08)**

Subject: CAP and land as a strategic asset

The international economic milieu is burdened by a deepening credit crisis, bouts of protectionism, and growing concerns about the impact of climate change and the formidable industrial rise of Asia (China and India, in particular) on the prices of basic commodities. The struggle for scarce resources is likely increasingly to involve good land, as the mainstay for food production. As a matter of fact, good land is turning into a strategic asset, reflecting the way other countries use non-renewable energy resources as strategic assets. Is it not ominous that, already, we are facing a visible trade-off between the prices of food and energy produced from grain? In view of this geopolitical and economic background how does the Commission envisage the Common Agricultural Policy (CAP) over the longer run? Can narrowly formulated cost-benefit considerations and the risk of excessive dependency on unsecure sources of food supply lie behind a reform of the CAP?

*Answer*

Agricultural prices increased in 2006 and 2007 and most analysts share the view that the market will remain firm in the medium-term. At the global scale, there is broad agreement on the reasons why demand is currently outstripping supply – production disruptions, rise in commodity demand, changes in dietary patterns, high global economic growth rates and new market outlets like biofuels.

This contrasts with our experience in the past, where there has been rather a problem of too much supply and too low prices, and explains the introduction of supply control measures like quotas and set aside and the general thrust for Common Agricultural Policy (CAP) reform, since 1992, to strengthening competitiveness and increasing market orientation by moving away from a policy of price and production support to direct producer support.

In the context of the 2003 CAP reform, the positive market signals in many sectors can now be much better transmitted to EU farmers and can be expected to give rise to a corresponding production response. On the other hand, in the forthcoming "Health Check" of the CAP, the Commission is of the view that the various adjustments being considered, and in particular the removal of the set-aside and phasing-out of the milk quota regimes, will provide the additional land and supply potential necessary to help meet the current increase in demand.

In the longer timeframe, food supply and land use issues have consistently been a feature of the Union's discussions regarding the CAP and we can expect them to remain so in discussions on the future of the CAP, which are taking place in the context of ongoing EU Budget Review.

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**Ερώτηση αρ. 94 του κ. Δημητρίου Παπαδημούλη (H-0219/08)**

Θέμα: Νομική κατοχύρωση των σχέσεων ατόμων του ίδιου φύλου στην Ευρωπαϊκή Ένωση

Το ελληνικό Υπουργείο Δικαιοσύνης προωθεί σχέδιο νόμου που εισάγει «σύμφωνο ελεύθερης συμβίωσης» για ετερόφυλα ζευγάρια, χωρίς να κατοχυρώνει το δικαίωμα αυτό σε ζευγάρια του ίδιου φύλου. Το νομοσχέδιο προβλέπει ότι ετερόφυλα ζευγάρια θα μπορούν να επισημοποιούν την σχέση τους με έγγραφη συμφωνία, που θα παρέχει στα δύο μέρη σχεδόν όλα τα δικαιώματα που απορρέουν από το γάμο και θα λύνεται αυτοδίκαια με συμβολαιογραφική πράξη. Η κοινοβουλευτική συνέλευση του Συμβουλίου της Ευρώπης άσκησε κριτική στο νομοσχέδιο και ανήγγειλε δημόσια ακρόαση με θέμα την νομική αναγνώριση των σχέσεων των ομόφυλων ζευγαριών.

Λαμβάνοντας υπόψη το άρθρο 13 της Συνθήκης για την Ευρωπαϊκή Κοινότητα καθώς και το άρθρο 21 του Χάρτη των Θεμελιωδών Δικαιωμάτων της Ευρωπαϊκή Ένωσης, που απαγορεύει ρητά κάθε διάκριση λόγω γενετήσιου προσανατολισμού, ερωτάται η Επιτροπή, σε ποια κράτη μέλη οι ομοφυλοφιλικές σχέσεις είναι κατοχυρωμένες είτε με γάμο είτε με σύμφωνο συμβίωσης. Κρίνει η Επιτροπή ότι το προωθούμενο νομοσχέδιο του Υπουργείου Δικαιοσύνης ανταποκρίνεται στο άρθρο 13 της Συνθήκης, που ενθαρρύνει την εξάλειψη των διακρίσεων με βάση το γενετήσιο προσανατολισμό;

*Answer*

The Commission has no powers to intervene on the particular issue of the proposed Greek legislation, which is under the competence of this Member State.

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**Question no 95 by Bill Newton Dunn (H-0223/08)**

Subject: Fighting exponentially increasing cross-border crime

The unelected Commission refuses to carry out the joint wish of the elected Council and the elected Parliament by making a study for which money was allocated by them in the 2008 Commission Budget.

The Commission written answer to H-0135/08 (11 March 2008) tries to defend itself by stating that its policy 'aims to improve cooperation between the Member States' respective police forces'.

Leaving aside the question of its apparently closed mind to examining new ideas, what are the changes that make the Commission confident that such cooperation, until now extremely poor in the face of exponentially increasing cross-border crime, will improve?

If cooperation does not improve, how long will the Commission wait before recognising that fighting cross-border crime requires law enforcement with cross-border powers?

*Réponse*

La Commission considère que la coopération policière au sein de l'UE, même si elle demeure bien entendu perfectible, donne d'ores et déjà des résultats encourageants. Ainsi, Europol, l'Office européen de police, joue-t-il un rôle important dans la lutte contre la criminalité organisée, comme l'ont illustré récemment le succès de l'opération KOALA contre un réseau international de pédophiles ou encore le démantèlement d'imprimeries clandestines impliquées dans la contrefaçon de l'euro.

Son futur cadre juridique devrait lui permettre d'améliorer encore la qualité du soutien apporté aux Etats membres, tout en permettant un meilleur contrôle démocratique de ses activités du fait du financement communautaire de l'Office européen de police.

Eurojust, l'unité de coopération judiciaire de l'Union européenne, joue également un rôle éminent, en coordonnant, au niveau européen, les enquêtes et les poursuites pénales contre la criminalité organisée transfrontalière. La mise en œuvre de la décision-cadre relative au mandat d'arrêt européen et aux procédures de remise entre Etats membres (2002/584/JAI) doit également être signalée à cet égard.

En outre, l'intégration des dispositions du traité de Prüm dans le droit de l'Union européenne permettra notamment un échange d'informations, en particulier s'agissant des données ADN. Les premiers résultats du traité sont très positifs, avec la résolution de plusieurs affaires criminelles grâce à la comparaison des fichiers nationaux, et la montée en puissance progressive du dispositif devrait permettre d'améliorer rapidement son efficacité.

Contrairement à la situation qui prévaut s'agissant des projets pilotes et des actions préparatoires, la Commission considère qu'elle n'est pas tenue de procéder à cette étude. En l'espèce, la Commission n'estime pas opportun de faire étudier ce que l'honorable parlementaire appelle "une police fédérale européenne". Une telle police n'est pas concevable aujourd'hui, alors que les Etats membres coopèrent de manière bilatérale afin de traiter de la manière la plus pragmatique possible la délinquance transfrontalière. C'est notamment la fonction des centres de coopération policière et douanière que plusieurs Etats membres ont créés à leurs frontières communes.

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**Въпрос № 96 на г-н Nikolay Mladenov (H-0226/08)**

Относно: Такси за преминаването на моста Русе-Гюргево между България и Румъния

След присъединяването на България и Румъния към ЕС (1 януари 2007), границата между двете държави е вече вътрешна за Европейския съюз. Тя играе важна роля за осигуряване на свободното движение на хора, стоки и услуги между двете страни-членки.

За съжаление по протежение на 350 км речна граница между България и Румъния има само един мост (Русе-Гюргево), което само по себе си затруднява контактите между гражданите от двете страни на река Дунав.

Същевременно и двете страни продължават да събират такси за преминаване на моста, които се заплащат от всяко моторно превозно средство, с което се затруднява свободното движение между двете нови страни-членки. В много от своите решения Съдът на Европейските общности се е произнасял в защита на свободното придвижване от такси, които реално или потенциално могат да повлияят негативно на вътрешния пазар.

Наясно ли е Комисията, че подобни такси все още се плащат за преминаването на Дунав мост (Русе-Гюргево)?

Кога и какво ще направи Комисията за премахване на тази пречка пред ефективното функциониране на вътрешния пазар?

*Answer*

The Commission is aware that tolls are applied on the bridge over the Danube between Ruse and Giurgiu.

The principle of charging a fee for the use of infrastructure does not conflict with the principles of free movement within the Community. Indeed, Directive 1999/62 on charging of heavy goods vehicles<sup>43</sup> for the use of infrastructure (the so-called "Eurovignette" directive) enables Member States to introduce tolls provided that their imposition is not discriminatory and they are based on the principle of the recovery of infrastructure costs only. The Directive prescribes that the application and collection of tolls must cause as little hindrance as possible to the free flow of traffic, avoid any mandatory controls or checks at the Community's internal borders and avoid any discrimination between infrastructure users. Member States are obliged to provide adequate facilities at the points of payment for tolls. Member States that apply a system of time-related user charges ("vignettes") for the use of infrastructure, such as Romania and Bulgaria, are explicitly allowed also to apply tolls on bridges, tunnels and mountain passes.

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**Question no 97 by Struan Stevenson (H-0227/08)**

Subject: EU relations with Iran

Can the European Commission confirm how much money has been paid to the Iranian authorities for 'poverty alleviation', to whom is this money paid and how is the proper utilisation of this money being monitored?

Can the Commission reveal how many Iranian students are studying in EU universities under the Erasmus Mundus programme, which EU universities are involved and what courses are being undertaken by these students?

*Answer*

The Commission is currently not providing direct assistance to the Iranian authorities. However, under the thematic budget lines, a number of actions are implemented in support of human rights and the development of civil society in Iran. These actions are implemented through NGOs and UN agencies. Finally, Iran is a beneficiary of the Erasmus Mundus programme.

<sup>43</sup> Directive 1999/62/EC on the charging of heavy goods vehicles for the use of certain infrastructures (OJ L 187/42 of 20 July 1999) as amended by Directive 2006/38/EC, OJ L 157/8 of 9 June 2006.

With regards to Erasmus Mundus programme, for the academic year 2007-2008, there are 33 Iranian students enrolled in 28 Erasmus Mundus Masters Courses developed by 127 European universities from 19 EU Member States.

Moreover, under the first call for proposals within the Erasmus Mundus External Cooperation Window Programme funded by the Commission's external aid financial instruments, the number of Iranian students selected in the academic year 2007-2008 is 51.

The EU Member State universities involved in the selected partnership are: Freie Universität Berlin (DE), Universidad de Deusto (ES), Université Bordeaux 1 (FR), Erasmus University Rotterdam (NL), Uniwersytet Warszawski (PL), Universidade do Algarve (PT), Lunds Universitet (SE), University of Southampton (UK).

An exact description of the courses offered by the universities to these students is not available as it depends on the match between the individual choice of the students and the availability of disciplines and courses offered by the partnership throughout the academic year.

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#### **Fråga nr 98 från Olle Schmidt (H-0229/08)**

Angående: Mänskliga rättigheter på Kuba

2003 införde EU sanktioner mot Kuba till följd av kränkningar av de mänskliga rättigheterna. 2005 upphävdes delar av dessa sedan EU beslutat att söka en dialog med Kuba om de mänskliga rättigheterna.

Raúl Castros maktövertagande har inneburit förändringar. Kuba skrev i februari under två FN-konventioner rörande mänskliga rättigheter. Jag stödjer därför kommissionens syn, att en positiv utveckling är möjlig, men anser att till dess Kuba till fullo uppfyller sina åtaganden gällande mänskliga rättigheter bör vi inte avskaffa våra sanktioner.

Vilka åtgärder avser kommissionen nu vidta för att förbättra situationen för mänskliga rättigheter på Kuba?

*Answer*

It is first of all important to clarify that the EU never introduced sanctions against Cuba, but diplomatic measures which were all suspended in January 2005<sup>44</sup>.

The Commission follows closely the situation of human rights in Cuba. As a rule, the Commission Delegation in Havana coordinates its action with the EU Member States in the field, notably in the context of the work of the EU Human Rights Working Group. As cooperation with the Commission and with most Member States was suspended in 2003 by the Cuban authorities (following the 2003 diplomatic measures), the intervention capacity of the Commission in this area, as in any other area in Cuba, in the field is at present very limited.

During the contacts between the Commission and the Cuban authorities, in Brussels and in Havana, a wide range of issues are discussed including human rights matters. The Commission is of the opinion that these questions would be best addressed in the framework of a formal EU-Cuba political dialogue. In 2007, Cuba established a bilateral human rights dialogue with Spain, but it has made the lifting of the diplomatic measures a condition of the possibility of establishing a human rights dialogue with the EU, as well as the resuming of EC-Cuba development cooperation.

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#### **Vraag nr. 99 van Frank Vanhecke (H-0230/08)**

Betreft: Integratie Turkije in gemeenschappelijk buitenlands beleid

In haar voortgangsrapport 2007 over Turkije stelde de Commissie dat Turkije ten volle het vredesproces voor het Midden-Oosten ondersteunt en dat het land over het algemeen zich nauw aansluit bij en inschakelt in het gemeenschappelijk buitenlands- en veiligheidsbeleid, één van de criteria van het acquis communautaire.

<sup>44</sup> Inviting dissidents to National Day celebrations; limiting high level visits to Cuba; lowering the level of diplomatic representation in cultural events on the ground.

De Palestijnse kwestie was één van de belangrijkste thema's op de voorbije top van de Organisatie van de Islamitische Conferentie (OIC) in Dakar in het midden van maart 2008. Daarbij richtte de Turkse secretaris-generaal van de OIC, de heer Ekmeleddin Ihsanoglu, een eenzijdige beschuldiging aan het adres van Israël. Met name is volgens hem enkel Israël verantwoordelijk voor de ondermijning van het vredesproces. Ook acht hij het noodzakelijk om de "Israëlische misdaden" te documenteren en de "misdadigers" voor een internationaal strafhof te brengen.

Hoe verklaart de Commissie haar bevindingen in het voortgangsverslag in het licht van deze verklaringen?

*Answer*

Professor Ekmeleddin Ihsanoglu took office as Secretary General of the Organisation of Islamic Conference in January 2005 and was re-elected for a new term in March 2008. Professor Ihsanoglu is an international official and his views do not represent the official Turkish position.

Turkey maintains constructive policies vis-à-vis the Middle East. Turkey has good relations both with Israel as well as with the Palestinian side. In November 2007, Turkey hosted Israeli President Peres and Palestinian President Abbas, who both delivered speeches, one after the other, at the Turkish Grand National Assembly.

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**Ερώτηση αρ. 100 του κ. Ιωάννη Μάτση (H-0231/08)**

Θέμα: Παράνομη επίσκεψη Buyukanit στη κατεχόμενη Κύπρο

Ο αρχηγός των τουρκικών ενόπλων δυνάμεων Yasar Buyukanit, πραγματοποιεί από τις 26-29 Μαρτίου, παράνομη επίσκεψη στο βόρειο κατεχόμενο από την Τουρκία έδαφος της Κυπριακής Δημοκρατίας, η οποία είναι κράτος μέλος της Ευρωπαϊκής Ένωσης. Πώς προτίθεται να αντιδράσει η Ευρωπαϊκή Επιτροπή νοουμένου ότι είναι αδιανόητο, υποψήφιο κράτος μέλος της ΕΕ να συνεχίζει να κρατά υπό κατοχή εδάφη κράτους μέλους της ΕΕ; Καταδικάζει η Επιτροπή την παράνομη επίσκεψη Buyukanit; Με ποιους πρακτικούς τρόπους στηρίζει την Κυπριακή Δημοκρατία στο πλαίσιο των αρχών της ΕΕ και της πολιτικής της αλληλεγγύης;

*Answer*

The well-known position of the European Community and its Member States is that except for the Sovereign Base Areas of the United Kingdom, the whole territory of the island of Cyprus is part of the Republic of Cyprus. The EU Member States do not recognise the so-called "Turkish Republic of Northern Cyprus".

The Commission is pleased to see not only willingness on all sides to put aside the difficulties of the past but also agreement to start a new negotiation process for a comprehensive solution to the Cyprus problem.

It is in our common interest to see the reunification of the island and the end of this 40-year-old conflict on European soil. The division of Cyprus is unacceptable within the European Union.

The issues of security and presence of foreign troops on the island raised by the Honourable Member highlight the urgent need for a rapid solution to the Cyprus problem.

The EU and the Commission firmly stand behind a renewed United Nations (UN) process and will fully support both communities on the island to make the necessary, difficult compromises.

We all know that achieving a solution will not be easy. It will require a lot of hard work and compromise, but the Commission is confident that in the end, with the guidance of the UN and the support of the EU, it will be achieved.

The Commission is also confident that Turkey will put all its weight behind a solution.

The Commission strongly believes that this year provides an opportunity that will not be repeated – and must not be missed.

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**Fråga nr 101 från Carl Schlyter (H-0232/08)**

Angående: Betesstöd

Föreslagna förändringar av förordning (EG) nr 794/2004<sup>45</sup> artiklarna 8.1 och 2.2 kan få allvarliga konsekvenser för svenska hagar och deras biologiska mångfald eftersom föreslagen trädräkning i betesmarkerna ej är anpassad till svensk tradition med träd i hagarna. Betesmarker kan och ska vara olika och se ut på olika sätt inom EU. En alltför strikt likriktning av reglerna, såsom en absolut regel om max 50 träd per hektar, riskerar minska mångfalden och öka antalet obrukade och igenvuxna hagar eftersom allt färre hagar kan definieras som betesmark. I media har det ryktats om att kommissionen överväger att kräva tillbaka medel på upp till 70 M€. Det vore ett dråpslag mot Sveriges ambition att bibehålla kulturlandskap.

Det är kulturlandskap EU-stöden avser stödja, måste de stödja en Europeisk monokultur, eller kan svenska traditionsenliga avvikelser accepteras?

Vad har kommission gjort för att komma tillrätta med ovannämnda problematik?

Hur kan regelverket utformas så att den mångfald av betesmarker som finns inom unionen kan accepteras och bevaras?

*Answer*

Contrary to the Honourable Member's information there is no change proposed to Article 2(2) and Article 8(1) of the Regulation (EC) No. 796/2004. The definition of pastureland in force has remained unchanged since many years.

Under the Common Agricultural Policy (CAP) direct payments to farmers made in the form of the Single Payment Scheme are based on the available agricultural land on a farm.

In order to safeguard the financial interest of the European Union, the Commission has established rules that permit to determine eligible agricultural land and to exclude non-eligible areas.

The legislation referred to lays down the types of land eligible for receiving CAP payments and in particular forage / pastureland in which there is mixed vegetation and that is used for an agricultural activity.

To define if a land with trees falls under this category of land or is to be considered as a "forest", and is thus not eligible for aid, the Commission has established already in 2003 and made available to all Member States a document (AGRI/60363/2003) indicating that "areas of trees inside an agricultural parcel with a density of >50 trees/ha should, as a general rule, be considered ineligible. Exceptions may be envisaged for tree classes of mixed-cropping such as for orchards and for ecological/environmental reasons. Eventual exceptions must be defined beforehand by the Member States". The rule is thus not new.

As the Honourable Member can see, the Commission does not lay down an absolute rule for the whole of the Community. Sweden can thus for the future for ecological/environmental reasons define for particular types of pasture land a different threshold, if it is proven that the higher number of trees per hectare does not render the land unsuitable for agricultural activities, and thus ineligible for aid.

That the land recognised in this manner is indeed compliant with the applicable EU-legislation and is thus eligible for aid will be assessed in the context of the audits under the clearance of accounts procedure.

In respect of the € 70 million repayment referred to by the Honourable Member, this figure cannot be traced in any decision of the Commission and therefore the Commission is not in the position to provide any details on that issue.

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**Question no 102 by Irena Belohorská (H-0235/08)**

Subject: Non-compliance of the European Commission with the judgment of the CFI in case T-58/05

Can the Commission explain why it has not respected the judgment of the Court of First Instance in Case T-58/05, Centeno v Commission, delivered on 11 July 2007, under which the Commission was ordered to bear its own costs and to pay half the costs incurred by the applicants?

<sup>45</sup> EUT L 140, 30.4.2004, s. 1.



Can the Commission explain on what legal basis it is trying to 'bargain' with the applicants in the aforementioned case, and is refusing to pay the applicants' legal costs of EUR 23 000?.

*Answer*

Contrary to what is indicated by the Honourable Member, the Commission fully respects the judgment of the Court of First Instance in case T-58/05 and recognises its obligation to pay half the Applicants' costs. However, like all other judgments of the Community courts in direct actions, the judgment only lays down the principle as to who shall bear which costs but does not set the amounts to be paid. Article 92 of the Rules of Procedure of the Court of First Instance ("RP") lays down a procedure under which the Court can fix the amount of costs if the parties are unable to agree it. It is only if there is such an order that there is an obligation to pay a particular amount. That is not the case here.

In the present case, there is a dispute between the parties about what is a reasonable amount of costs. The Commission does not agree with the amount claimed by the Applicants which seems to be well in excess of what could be justified in the light of the case-law on recoverable costs in the Community courts. The Commission believes that for sound financial management requires it to keep to the principle of that case law.

The Commission does not however wish to force the Court of First Instance to rule on this case under Article 92 RP, if that can be avoided. It has therefore made what it regards as a reasonable offer to the applicants' counsel, taking account of the principles in the case-law, and also the particular features of the present case. Applicants remain of course free to have recourse to Article 92 RP and ask the Court to fix the amount.

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**Zapytanie nr 103 skierowane przez Zbigniew Krzysztof Kuźmiuk (H-0237/08)**

Przedmiot: Poparcie Komisji Europejskiej dla budowy Gazociągu Północnego mimo gwałtownego wzrostu jego kosztów?

Pod koniec marca rosyjska spółka Gazprom poinformowała, że szacunkowy koszt budowy gazociągu północnego pomiędzy Rosją i Niemcami wyniesie 7,4 mld Euro. Przypomnę, że w 2005 r. kiedy rozpoczynano tę inwestycję szacowano jej koszt na 4 mld Euro, a pół roku temu już na 6 mld Euro. Ostateczne koszty tej inwestycji będą zapewne jeszcze wyższe.

Za dostawy gazu tak drogim gazociągiem w przyszłości zapłacą europejscy konsumenci, zważywszy na prawie monopolistyczną pozycję większościowego właściciela tego gazociągu czyli rosyjskiego Gazpromu.

Dlaczego więc Komisja Europejska popiera tak drogą inwestycję a nie jest zainteresowana realizacją dwukrotnie tańszych biegnących drogą lądową gazociągów takich jak Jamał II czy Amber.

*Réponse*

La Commission appuie le projet Nord Stream dans l'intérêt de l'ensemble de l'Union: il s'agit d'un projet majeur (55 milliards de m<sup>3</sup> de gaz par an) permettant de satisfaire les demandes croissantes des industries et des citoyens de l'Union (plus de 100 milliards de m<sup>3</sup> additionnels nécessaires d'ici 2015). Ce projet a été qualifié d'intérêt européen dans les dernières lignes directrices des Réseaux transeuropéens d'énergie adoptées par le Conseil et le Parlement en septembre 2006<sup>46</sup>.

Toutefois, la Commission n'a pas alloué de soutien financier à l'investissement de Nord Stream qui est financé uniquement par ses actionnaires privés et des emprunts. Il est de la seule responsabilité de ces actionnaires de juger si ce projet est trop dispendieux et donc risqué financièrement pour eux.

Il n'est pas correct de dire que la Commission ne s'intéresse pas à d'autres projets de gazoducs. Yamal II a le même degré de priorité que Nord Stream dans les lignes directrices des Réseaux transeuropéens adoptées en 2006 et Amber est également considéré comme étant un projet d'intérêt commun.

<sup>46</sup> Décision n o 1364/2006/CE du Parlement européen et du Conseil du 6 septembre 2006 établissant des orientations relatives aux réseaux transeuropéens d'énergie et abrogeant la décision 96/391/CE et la décision n o 1229/2003/CE JO L 262 du 22.9.2006.

La Commission a accepté de co-financer une étude de faisabilité pour Yamal II et Amber présentée par la compagnie gazière polonaise PGNiG en 2005 (à hauteur de 950 000 d'euros); étude qui n'a malheureusement pas pu être menée à bien par manque d'intérêt des compagnies de gaz de certains pays concernés.

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**Vraag nr. 104 van Ivo Belet (H-0241/08)**

Betreft: Sport als hefboom voor sociale integratie

In het Witboek sport stelt de Commissie dat ze gelooft dat in het beleid, de acties en de programma's van de Europese Unie en de lidstaten beter gebruik kan worden gemaakt van de mogelijkheden die sport biedt voor sociale integratie.

De Commissie stelt dat ze aan de lidstaten zal voorstellen om in het Progress-programma (en ook in de programma's Een leven lang leren, Jeugd in actie en Europa voor de burger) steun te verlenen aan acties die sociale integratie door sport bevorderen en discriminatie in de sport bestrijden.

Welke voorstellen heeft de Commissie in die richting gedaan?

Zal dit concrete gevolgen hebben voor de oproepen die de Commissie lanceert voor het indienen van voorstellen? Werden in het verleden al acties ondersteund die als voorbeeld kunnen dienen?

Hoe maakt de Commissie haar engagement waar dat ze de lidstaten zal aanmoedigen om acties in het kader van het Europees Integratiefonds te bevorderen?

*Answer*

The Action Plan "Pierre de Coubertin" annexed to the White Paper on Sport and which will guide the Commission's sport-related activities during the next years underlines in its proposed actions under chapter A.5 the need for a better use of the opportunities which sport offers to foster social inclusion in and through sport.

To make the implementation of the White Paper a success, the Commission will rely on an improved structured dialogue with the sport movement and an enhanced political cooperation with EU Member States.

Within the framework of the Open method of coordination (OMC) on social protection and social inclusion, the social inclusion strand highlights, through the 2006-2008 national strategic reports submitted by the Member States, the importance of participating in sport activities as a means to prevent and tackle social exclusion of children on the one hand, and on the other hand as a tool for promoting the social inclusion of immigrants and ethnic minorities. It should be also noted that within the context of the OMC, a number of indicators on the well-being of children have been envisaged and participation in sport activities is included in the elements to be taken into consideration. The OMC will therefore continue to include sport as a tool and indicator, without creating new structures or new working methods.

With regards to the practical implications of the White Paper on specific EU programmes and their calls for proposals/tenders, the Commission will be supporting social inclusion in and through sport and physical activity actions through a number of instruments available at EU level.

PROGRESS is the EU's employment and social solidarity programme which started in 2007 and which will run until 2013 covering actions against discrimination, equality between men and women, employment measures and the fight against social exclusion. Ways need to be found under this programme to address the issue of accessibility to sport activities and the specific needs and situation of the vulnerable groups, as well as to take into account the special role that sport can play for disabled persons and the need to ensure gender equality in sport. Another issue to be addressed under this programme is the need to better use the potential of sport as an instrument for social inclusion, including its potential as an employment creation factor, particularly in disadvantaged areas.

The general call for proposals 2008-2010 in the framework of the Lifelong Learning Programme has included physical education and sport among its priorities. This has opened new funding opportunities for sport and physical activity projects to be supported. Promoting participation in educational opportunities through sport is thus a new priority topic for school partnerships supported by the Comenius programme and for thematic networks and mobility in the field of higher education supported by the Erasmus programme.

The Youth in Action Programme acknowledges the vital role that sport plays in young people's physical and social development. This is reflected in a double focus within the Programme on the role of sport as a means to promote healthy lifestyles on the one hand, and social inclusion and active citizenship on the other hand. Since the adoption of the White Paper on Sport, the integration of both dimensions has been strengthened by the addition of specific annual priorities in the Youth in Action Programme Guide, which has the status of a permanent call for proposals and is the main tool to implement the Programme. Consequently, in 2008 priority will be given to youth projects highlighting the role of sport as a tool to promote active citizenship and social inclusion or healthy lifestyles through physical activities among young people.

The Europe for Citizens Programme is open for a large variety of civil society organisations, including those in the area of amateur sport. Since the adoption of the White Paper on Sport, a specific annual priority on sport and active citizenship was added. Consequently, in 2008 priority will be given to applications dealing with the role of sport as a tool to promote active citizenship and social inclusion.

The European Integration Fund is also of relevance. Its main objective is to support the efforts made by Member States in enabling third-country nationals of different economic, social, religious, linguistic and ethnic backgrounds to fulfil conditions of residence and to facilitate their integration in to the European societies. The Integration Fund aims in particular at putting Common Basic Principles (CBP) approved at EU level on integration into practice. One of the CBP affirms that "mainstreaming integration policies and measures in all relevant policy portfolios and levels of government is an important consideration in public-policy formation and implementation" and that "Integration occurs in all spheres of public and private life. Numerous non-governmental actors influence the integration process of immigrants and can have additional value. Examples in this respect are trade unions, businesses, employer organisations, political parties, the media, sports clubs and cultural, social and religious organisations. Cooperation, coordination and communication between all of these actors are important for effective integration policy. The involvement of both immigrant and the other people in the host society is also necessary". Within the framework of the preparatory actions (INTI programme) to the establishment of this Fund, the Commission has co-financed in 2005 a project called "Integration at sports" coordinated by Zeitbild, a German organisation, in partnership with five other organisations from Austria, Belgium, Germany, the Netherlands and United Kingdom. More information can be found on this project on the following website: <http://www.united-by-sports.net/en/>

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**Anfrage Nr. 105 von Alexander Alvaro (H-0246/08)**

Betrifft: EU-Mittel für ägyptischen Satellitenanbieter Nilesat trotz Ausstrahlung von Al-Manar

Laut der Webseite der Europäischen Nachbarschaftspolitik wird die Europäische Union dem Nachbarschaftsstaat Ägypten über die nächsten vier Jahre 558 Millionen € zur Verfügung stellen.

Ist der Kommission bekannt, ob damit auch Projekte finanziert werden, die – indirekt oder direkt – mit dem ägyptischen Satellitenanbieter Nilesat verbunden sind? Wenn ja, hält die Kommission eine solche Finanzierung für gerechtfertigt, vor allem angesichts der Tatsache, dass Nilesat den radikal-islamistischen TV-Sender Al-Manar ausstrahlt, der nach Aussagen von Viviane Reding, Mitglied der Kommission mit Zuständigkeit für Informationsgesellschaft und Medien, gegen die europäische Fernsehrichtlinie „Fernsehen ohne Grenzen“ (97/36/EG

<sup>47</sup>) verstößt (Antwort vom 17.5.2005 auf die schriftliche Anfrage E-0909/05)?

*Answer*

The Commission would like to thank the Honourable Member for the question regarding his concerns that EU funded projects might be connected with the Egyptian satellite provider Nilesat which is broadcasting Al-Manar TV to Europe.

Audiovisual cooperation as provided for in the Action Plan under the European Neighbourhood Policy (ENP) is essentially concerned with upgrading the regulatory framework and therefore cannot be seen as supporting objectionable content directly or indirectly.

There are currently no Commission funded projects in the audiovisual sector in Egypt. EU financial assistance is targeted to support the priorities as set out in the ENP Action Plan. This is clearly reflected in the National Indicative Programme (NIP) which provides € 558 million for the period 2007-2010 to assist Egypt in addressing a number of challenges of its political, economic and social reform agenda and to encourage further reform steps.

<sup>47</sup> ABl. L 202 vom 30.7.1997, S. 60.

Both the NIP and the Annual Action Programmes which define the specific programmes on a yearly basis are prepared according to strict rules and procedures. They need to receive the positive opinion of the EU Member States, and are reviewed by the European Parliament under a scrutiny procedure.

The Commission is aware that Al-Manar TV can be received in Europe via the Egypt owned satellite provider Nilesat. The Commission fully shares concerns raised on the ground that material broadcast by this channel might amount to incitement to hatred.

In the joint Action Plan under the ENP the EU and Egypt agreed to cooperate in the fight against intolerance, discrimination, racism and xenophobia and in the promotion of respect for religions and cultures.

In this context another important priority for action is to “strengthen the role of media in combating xenophobia and discrimination on the grounds of religious belief or culture” and encouraging the media “to assume its responsibilities in this regard”.

The appropriate mechanism for raising issues related to the fight against racism and xenophobia with Egypt is the sub-committee on political matters, including human rights, which we hope to convene for the first time in the near future.

Dialogue is by definition a two way process and will allow us to discuss issues of mutual concern both in the EU and in the partner country.

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#### **Ερώτηση αρ. 106 του κ. Κώστα Μποτόπουλου (H-0247/08)**

Θέμα: Ασφαλιστικό κεφάλαιο αλληλεγγύης των γενεών

Ο ελληνικός Νόμος 3655/2008 (ΦΕΚ 58 Α/3.4.2008) σχετικά με τη «Διοικητική και οργανωτική μεταρρύθμιση του συστήματος κοινωνικής ασφάλισης και λοιπές ασφαλιστικές διατάξεις», προβλέπει στο άρθρο 149 τη δημιουργία αποθεματικού για την αντιμετώπιση μελλοντικών προβλημάτων του ασφαλιστικού συστήματος, με την ονομασία «Ασφαλιστικό κεφάλαιο αλληλεγγύης των γενεών», το οποίο θα χρησιμοποιηθεί μετά το έτος 2019. Οι πόροι του θα προέλθουν από το 10% των συνολικών ετήσιων εσόδων από αποκρατικοποιήσεις δημόσιων επιχειρήσεων και οργανισμών, το 4% των ετήσιων συνολικών εσόδων από το ΦΠΑ και το 10% των ποσών που εισπράττουν φορείς κοινωνικής ασφάλισης.

Θα συνυπολογίζει η Επιτροπή, και βάσει ποιας μεθοδολογίας, στις εκτιμήσεις της για το ύψος του ελλείμματος του ελληνικού προϋπολογισμού τα ποσά που θα συσσωρεύονται σταδιακά στο κεφάλαιο αυτό, λαμβάνοντας υπόψη ότι το βασικότερο και σταθερότερο έσοδό του θα είναι πόροι από το ΦΠΑ;

Γνωρίζει η Επιτροπή με ποιους τρόπους σκοπεύει να καλύψει η ελληνική κυβέρνηση το κενό εσόδων του προϋπολογισμού που θα προκύψει λόγω της απορρόφησης -για τη χρηματοδότηση του νέου ασφαλιστικού κεφαλαίου- του 4% των εσόδων από το ΦΠΑ και της δέσμευσης ποσοστού 10% από τα συνολικά ετήσια έσοδα των αποκρατικοποιήσεων;

*Answer*

According to ESA 95 accounting rules<sup>48</sup>, the Insurance Fund for Solidarity between Generations will be classified in the Social security fund sub-sector within the General Government sector. This classification implies that the annual deficit/surplus of the fund will contribute to the general government deficit/surplus. Moreover, as transactions between the fund and other government units (e.g. transfers of value added tax, social contributions) will be consolidated, they will have no impact on the government deficit. The rationale of these rules is that, basically, these revenue transfers appear as internal adjustments in the balance sheet of the general government, with no change in wealth, nor no flow of income.

However, the way the Insurance Fund for Solidarity between Generations will invest its funds may have an impact on the government gross debt<sup>49</sup>, after 2009. If investment is mainly directed to assets other than government bonds, the general government consolidated gross debt may increase by the amount of those investments, as compared to a situation where they investment is directed exclusively to government bonds.

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<sup>48</sup> European System of Accounts – Council Regulation (EC) 2223/96, as amended.

<sup>49</sup> The definition of government gross debt is given by Art. 1(5) of Council Regulation 3605/93, as amended.

**Spørgsmål nr. 107 af Anne E. Jensen (H-0249/08)**

Om: EASA's håndtering af nødlandingerne med Dash 8 Q400

I efteråret 2007 havarede tre fly af typen Dash 8 Q400 i henholdsvis Aalborg, Vilnius og København. Efterfølgende viste det pågældende flyselskabs undersøgelse, at 16 ud af 18 af dets Dash 8 Q400-fly har samme konstruktionsfejl som det fly, der nødlandede i København. Ydermere har blandt andre Austrian Airlines også haft problemer med denne flytypes landingsstel. I forlængelse af spørgsmål H-0051/08<sup>50</sup> bedes Kommissionen besvare følgende spørgsmål:

Når EASA har beføjelse til at udstede luftdygtighedsdirektiver i tilfælde af designmæssige fejl og mangler, burde EASA så ikke foranledige en tilsvarende undersøgelse af alle Dash 8 Q400-fly under sit domæne?

Har EASA overblik over vedligeholdelsesprocedurerne (undersøgelse samt eventuel udskiftning af filtre) i flyselskaber under sit domæne?

Har EASA de fornødne instrumenter til at sikre flysikkerheden i Europa, eller er der et spændingsfelt i forhold til nationale myndigheder?

*Answer*

Comme la Commission en a informé l'honorable parlementaire dans sa réponse à la question orale H-0051/08, l'Agence européenne de Sécurité aérienne (AESA) a publié des consignes de navigabilité prescrivant des actions correctrices.

En particulier, en octobre 2007 une consigne de navigabilité imposait l'inspection de tous les aéronefs de type Dash 8 Q400 immatriculés dans les Etats membres de l'Union européenne. Si l'analyse des résultats de ces inspections devait montrer que d'autres actions devraient être imposées, l'AESA prendrait les mesures nécessaires.

L'AESA a passé en revue les procédures de maintenance relatives au Dash 8 Q400 et les considère satisfaisantes. Il faut néanmoins préciser que l'approbation des programmes de maintenance de chaque opérateur individuel est du ressort des autorités nationales qui font elles-mêmes l'objet d'inspections de standardisation de l'AESA.

Afin de pouvoir exercer pleinement son rôle, l'AESA doit pouvoir disposer de toutes les informations utiles en matière de sécurité et particulièrement celles qui découlent des compte-rendus d'évènement et des rapports d'enquêtes. La Commission encourage l'établissement d'une coopération étroite entre l'AESA et les autorités nationales responsables et entend bien formaliser cette coopération à l'occasion de la révision des directives pertinentes. Une telle coopération est d'autant plus importante que l'ensemble des tâches de sécurité n'a pas encore été transféré entièrement à l'AESA et qu'il y a donc un partage de responsabilités entre l'AESA et les Etats membres.

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**Ερώτηση αρ. 108 της κ. Διαμάντως Μανωλάκου (H-0251/08)**

Θέμα: Εγκατάσταση ανεμογεννητριών στο νησί στη Σκύρο

Η ελληνική κυβέρνηση σχεδιάζει την εγκατάσταση 111 ανεμογεννητριών συνολικής ισχύος 333 MW στο νησί Σκύρος του νομού Ευβοίας, στην περιοχή του Βορειοκεντρικού Αιγαίου Πελάγους, δημιουργώντας ένα από τα μεγαλύτερα πάρκα ανεμογεννητριών στον κόσμο. Η ενέργεια αυτή θα έχει ιδιαίτερα αρνητικές συνέπειες για την οικονομία του νησιού, ιδίως στην κτηνοτροφία, τη μελισσοκομία και τον τουρισμό. Επιπλέον, θα οδηγήσει σε καταστροφή το νησιωτικό τοπίο και στην εξαφάνιση του μοναδικού σκυριανού αλόγου, που προστατεύεται και βάσει του κανονισμού (ΕΟΚ) αριθ. 2078/92<sup>51</sup> και ζει στην περιοχή του προβλεπόμενου πάρκου που είναι επίσης χαρακτηρισμένη ως ζώνη Ειδικής Προστασίας της Ορνιθοπανίδας (ΖΕΠΙΡ 115). Όλοι οι μαζικοί φορείς του νησιού έχουν εκφράσει την έντονη αντίθεση τους, ανταποκρινόμενοι και στην γραπτή έκκληση της μεγάλης πλειοψηφίας των κατοίκων που ζητούν από την ελληνική κυβέρνηση να ακυρώσει τις αποφάσεις της.

Γνωρίζει η Επιτροπή τα σχέδια εγκατάστασης των ανεμογεννητριών, αν αυτά συνοδεύονται από περιβαλλοντικές μελέτες και τι μέτρα σκοπεύει να λάβει για να αποτραπεί η εγκατάσταση των ανεμογεννητριών στο νησί;

<sup>50</sup> Mundtligt svar af 19.2.2008.

<sup>51</sup> ΕΕ L 215 της 30.7.1992, σελ. 85.

*Réponse*

La législation environnementale communautaire n'interdit pas la construction d'éoliennes au sein d'un site appartenant au réseau Natura 2000. L'article 6, paragraphes 3 et 4, de la directive 92/43/CEE<sup>52</sup> concernant la conservation des habitats naturels ainsi que de la faune et de la flore sauvages établit une série de mesures formelles et substantielles auxquelles sont soumis les projets susceptibles d'affecter un site protégé de manière significative, afin de respecter la conservation du site et l'intégrité du réseau.

Dans le cas de Skyros, ces dispositions sont d'application pour ce qui concerne le site "Skyros: Oros Kochylas" (GR2420006) qui a été désigné par la Grèce pour le réseau Natura 2000 en vertu de la directive 92/43/CEE et de la directive 79/409/CEE<sup>53</sup> sur la conservation des oiseaux sauvages.

Selon les informations disponibles, transmises également à la Commission par des associations locales, la procédure d'évaluation et d'autorisation environnementales du projet, conformément aux règles nationales transposant les directives 85/337/CEE<sup>54</sup> et 92/43/CEE, est en cours, mais elle n'a pas abouti. Le fait que la société locale a pu exprimer son avis prouve que l'obligation d'information et de consultation du public a été respectée. Toutefois, l'avis du public n'est pas contraignant.

Vu ce qui précède, il n'est pas possible d'établir, à ce jour, de violation de la directive 85/337/CEE ou de la directive 92/43/CEE. La Commission va continuer à surveiller la situation de près.

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**Pergunta n° 109 do Pedro Guerreiro (H-0256/08)**

Assunto:Ponto da situação das actuais negociações no âmbito da OMC

Tendo em conta as propostas revistas quanto à agricultura e ao acesso ao mercado de produtos não agrícolas no quadro das negociações da OMC, pergunto à Comissão qual o ponto da situação actual das negociações. Quais as propostas revistas que avança para as negociações neste âmbito, nomeadamente quanto à agricultura, aos produtos não agrícolas (incluindo o têxtil e o vestuário) e aos serviços?

*Answer*

In mid-February, the Chairs of the respective negotiating groups on agriculture and on industrial goods ("NAMA") issued new versions of their negotiating texts. Further negotiations have taken place in the meantime, and the Chairs may choose to reflect progress made by issuing further revised texts. World Trade Organisation (WTO) members will then have to decide whether a sound basis to move towards a Ministerial negotiation is in place. Such negotiations will seek to agree on so-called "modalities" for the final stretch of the negotiations. There is some prospect that this Ministerial meeting could be convened in the coming months.

In the area of agriculture, the Commission has sought to engage with third countries, so as to find mutually agreeable solutions. In doing so, the Commission is working strictly within the limits of the mandate given by the Council on the basis of the 2003 Reform of the Common Agricultural Policy. Although there seems to be growing convergence among the negotiating partners on the treatment of sensitive products, there are still a number of difficult and politically sensitive outstanding issues mostly on market access which are not yet ripe for Ministerial involvement.

The negotiating text on NAMA from February lacked clarity on the contribution of emerging economies. The EU position is that these emerging economies should contribute to creating real new trade opportunities in industrial goods, as specified in the Doha Development Agenda (DDA) mandate. This position has been made clear to other WTO Members. As regards specific sectors, the EU has tabled a proposal for a sectoral agreement on textiles (whereby trade in textiles would be further liberalised) and will continue to push hard to target tariff peaks in developed countries and emerging economies.

In the area of services, it will be essential that any WTO Ministerial agrees on the need for an ambitious outcome in this area. In the margins of the WTO Ministerial, a special meeting with key industrial and emerging economies will be held, where these countries will signal in which areas they can make further liberalisation offers ("plurilateral signalling conference"). The results of this Conference will therefore feed into the EC's overall assessment of the balance likely to be achieved across the negotiations as a whole.

<sup>52</sup> JO L 206 du 22.7.92.

<sup>53</sup> JO L 103 du 25.4.1979.

<sup>54</sup> JO L 175 du 5.7.1985.

Any negotiated outcome which could emerge in the weeks ahead must be comprehensive and cover issues of clear interest to the EU. The ambition in agriculture must be fully matched by the other areas of the negotiations, including NAMA, Services and Rules, as well as Geographical Indications. The Commission will not compromise on this: an overall outcome which would not be balanced would not be acceptable.

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### **Klausimas Nr. 110, pateikė Laima Liucija Andrikienė (H-0258/08)**

Tema: Kova su Černobylio katastrofos pasekmėmis žmonių sveikatai

1986 m. balandžio 26 d. įvyko Černobylio katastrofa, kuri padarė milžinišką žalą aplinkai ir žmonių sveikatai, ypač todėl, kad tuometinė Sovietų Sąjungos vadovybė bandė nusikalstamai nusišlėpti patį avarijos faktą. Katastrofos pasekmės jaučiamos ir dabar, praėjus 22 metams, ne tik Ukrainoje ir Baltarusijoje, bet ir kitose regiono valstybėse ES narėse: Lenkijoje, Latvijoje, Lietuvoje. Su Černobylio katastrofa ekspertai sieja didėjančią onkologinių, širdies ir kraujagyslių susirgimų skaičių, jaunų šeimų nevaisingumo problemas ir kt.

Ar Europos Komisija yra parengusi veiksmų planą šioms problemoms spręsti Europos Sąjungoje? Ar yra sukurta vėžio prevencijos strategija, įvertinant aplinkos veiksmus, taip pat ir Černobylio katastrofos pasekmes aplinkai ir žmonių sveikatai? Ar Europos Komisija turi planą, skirtą padėti Ukrainai ir Baltarusijai šioje srityje?

### *Answer*

A comprehensive report on the health consequences of the Chernobyl accident, including mortality among emergency workers, the enhanced incidence of thyroid cancers, as well as the estimated possible incidence of other cancers and leukaemia, has been published by World Health Organisation (WHO)<sup>55</sup>.

This report came to the conclusion that there is no scientific evidence indicating that there might be decreased fertility in the general population as a direct result of the Chernobyl accident. As regards cardiovascular diseases due to radiation, the above report, while not fully substantiating an increase, could nevertheless not exclude a small effect. In order to try to bring clarity on this topic, the Commission has decided to organise a Scientific Seminar on radiation induced circulatory diseases in November 2008.

The exposure of the EU population from the Chernobyl accident represented a small increase in comparison with that received from natural background radiation. Statistically, it can be postulated that this exposure might lead to an increased incidence of cancer in the population but, any increase (should it occur) would be small in relation to that which could be postulated to arise from natural radiation. Moreover, any increase would be statistically undetectable against the relatively high incidence of cancer in the population from other causes.

Doses to the European population have been estimated and levels of radioactivity in the environment are kept under review on the basis of the information provided by Member States under Article 36 of the EURATOM Treaty.

A substantial programme of research (about € 40 million) on the health and environmental consequences of the Chernobyl accident has been supported by the Commission in its Framework Programmes (mainly EURATOM) since 1990. Much of this research was carried out in the first half of the 1990s in collaboration with Belarus, Russian Federation and Ukraine. Currently the research is restricted to a few key issues, in particular the increased incidence of thyroid cancer in the three countries. More generally, the risks from radiation exposures at low doses has been and continues to be the main focus of radiation protection research in past and current EURATOM Research Framework Programmes.

In terms of assistance, the Commission has contributed € 250 million so far to the Shelter Implementation Plan. The Commission has also contributed € 92million to projects for treatment and management of radioactive waste and € 96 million supporting the regulatory authorities in Ukraine to ensure the proper nuclear framework.

The Commission has launched over 100 projects to address the environmental, healthcare and social-economic consequences, with a total contribution of € 60 million. This has included medical effect studies on radiation sickness, ecosystem studies, emergency information centres, grants to create employment sources in the effected area, education on radiological culture, farming, improving professional health care, and the CORE programme in Belarus, which supports an integrated approach to the issues of social and economical rehabilitation in a context of radiological contamination

<sup>55</sup> "Report of the UN Chernobyl Forum, Health Effects of the Chernobyl Accident and Special Healthcare Programmes", Geneva, 2006 (available on [www.who.int](http://www.who.int)).

Projects currently being implemented include, a social-economic project, a medical project to improve peri-natal diagnostics and treatments in the Ukrainian provinces affected by the accident, a project with UNICEF to improve the healthcare of children and mothers, and a contribution of € 2.7 million to the UNDP project to “Combat the negative effects of the Chernobyl disaster in Belarus”.

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**Anfrage Nr. 111 von Hans-Peter Martin (H-0262/08)**

Betrifft: Kosten und Nutzen der Marketingkampagnen für EU-Agenturen

Die Kommission hat eine Marketingkampagne unter dem Motto „Whatever you do, we work for you“ organisiert, um das Image der EU-Agenturen zu verbessern.

Wie hoch waren die Gesamtkosten, und über welchen Zeitraum erstreckte sich diese Kampagne? Welche Agenturen beteiligten sich mit wie viel Euro an den Gesamtkosten, und aus welchen Aktivitäten bestand die Kampagne? Gibt es eine Erfolgsanalyse der Kampagne, und wenn ja, wie ist das Ergebnis?

*Answer*

The Commission would like to recall that regulatory agencies are independent bodies from the Commission with their own legal personality. As such, each agency conducts its own communication policy. The communication campaign referred to by the Honourable Member was undertaken exclusively by agencies and is an example of coordinated communication policy, which is an approach, favoured by the Commission.

As regards the factual information requested by the Honourable Member – total cost, financial contribution by agencies, level of participation, duration and a success analysis – the best placed to answer is the agency that coordinated the campaign. Therefore, the Commission has asked the European Training Foundation to provide the information needed. The Commission will submit this factual data to the Honourable Member as soon as possible.

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